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Rebecca McDowell Cook
Secretary of State

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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule.

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HOW TO CITE RULES AND RSMo

RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 24, *Missouri Register*, page 27. The approved short form of citation is 24 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

RSMo—Cite material in the RSMo by date of legislative action. The note in parentheses gives the original and amended legislative history. The Office of the Revisor of Statutes recognizes that this practice gives users a concise legislative history.

Rules appearing under this heading are filed under the authority granted by section 536.025, RSMo Supp. 1999. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the Missouri and the *United States Constitutions*; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons and findings which support its conclusion that there is an immediate danger to the public health, safety or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

Rules filed as emergency rules may be effective not less than ten days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the *Missouri Register* as soon as practicable.

All emergency rules must state the period during which they are in effect, and in no case can they be in effect more than 180 calendar days or 30 legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

**Title 19—DEPARTMENT OF HEALTH
Division 20—Division of Environmental Health and
Communicable Disease Prevention
Chapter 20—Communicable Diseases**

EMERGENCY AMENDMENT

19 CSR 20-20.100 Tuberculosis Testing for Residents and Workers in Long-Term Care Facilities and State Correctional Centers. The Department is deleting section (6).

PURPOSE: This amendment continues the established tuberculosis testing requirements for residents and workers in long-term care facilities and state correctional centers. The emergency amendment deletes the requirement that this rule expires on June 30, 2000.

EMERGENCY STATEMENT: This emergency amendment is necessary because the rule expires June 30, 2000 as a result of the Sunset provision. The emergency rule will allow the requirements within the language to continue until the new amendment becomes effective. Tuberculosis testing is conducted among residents and workers in long-term care facilities and state correctional centers due to the high risk of transmission of tuberculosis disease in these settings. The rate of TB disease is twice as high for elderly persons living in nursing homes as for elderly persons not living in nursing homes. The rate of TB disease in 1999 was six times greater in per-

sons living in Missouri correctional facilities as the statewide rate for Missouri. TB disease is more common among persons living in correctional facilities as among persons of the same age living outside correctional facilities. This difference is due to a high rate of TB infection in the prison population; and a significant number of inmates infected with HIV who are at higher risk of developing TB disease once infected. The MDOH finds an immediate danger to the public health and welfare and a compelling government interest, which require emergency action. The scope of this rule is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri and United States Constitutions*. The MDOH believes this emergency rule is fair to all interested persons and parties under the circumstances. The emergency rule was filed June 14, 2000, effective June 24, 2000, and expires February 22, 2001.

[(6) This rule will expire June 30, 2000.]

AUTHORITY: section 199.350, RSMo 1994. Original rule filed April 17, 1995, effective Nov. 30, 1995. Emergency amendment filed June 14, 2000, effective June 24, 2000, expires Feb. 22, 2001. A proposed amendment covering this same material is published in this issue of the *Missouri Register*.

**Title 19—DEPARTMENT OF HEALTH
Division 20—Division of Environmental Health and
Communicable Disease Prevention
Chapter 28—Immunization**

EMERGENCY AMENDMENT

19 CSR 20-28.040 Day Care Immunization Rule. The Department amends the Purpose and section (2) and (3) and deleting section (5) and (6) and delete forms following section (5).

PURPOSE: This emergency amendment deletes language that is repetitive and that dictates medical practice. The emergency amendment also deletes the requirement that this rule expires on June 30, 2000.

PURPOSE: This rule establishes immunization requirements [according to the Recommended Childhood Immunization Schedule-United States, January 1995, as approved by] in accordance with recommendations of the Advisory Committee on Immunization Practices (ACIP), the American Academy of Pediatrics and the American Academy of Family Physicians,] for all children attending public, private or parochial day care, preschool or nursery schools caring for ten or more children, and describes actions to be taken to ensure compliance with section 210.003, RSMo.

EMERGENCY STATEMENT: This emergency amendment is necessary as it deletes the requirement that this rule expires on June 30, 2000.

Section 210.003 RSMo requires that children attending day care centers, preschools and nursery schools be adequately immunized against vaccine-preventable diseases. This rule establishes the immunizations which are required for attendance.

Currently more than 100,000 children are enrolled in such facilities. This rule must continue in effect for the Department of Health to have the ability to assure compliance with state law necessary for the health and well being of these children.

The Department of Health finds an immediate danger to the public health and welfare and a compelling government interest, which require emergency action. The scope of this rule is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The Department believes this emergency rule is fair to all interested persons and parties under the circumstances. The emergency rule was filed June 14, 2000, effective June 24, 2000, and expires February 22, 2001.

(2) No child shall enroll in or attend a public, private or parochial day care center, preschool or nursery school caring for ten (10) or more children unless the child has been adequately immunized according to this rule. *[The immunization schedules in Tables 1–4, section (5) of this rule represent the standard by which the immunization status of children in day care shall be measured.]* Children attending elementary school who receive before, after school care, or both, shall meet the immunization requirements established in the School Immunization Rule, 19 CSR 20-28.010. Preschool-age children shall *[meet the following immunization requirements:]*

[(A) Diphtheria, Tetanus, Pertussis, Polio, and Hepatitis B—Immunization] be immunized against diphtheria, tetanus, pertussis, polio, *[and] hepatitis B, Haemophilus influenzae type b, measles, mumps and rubella [shall be required for all children]* according to *[the schedule which appears in Tables 1–4, section (5) of this rule. The total number of doses required will vary depending on the child’s age. Exemptions shall be permitted upon receipt of written notification of exemption on Parent/Guardian Immunization Exemption Form (Imm.P. 11) or Medical Immunization Exemption Form (Imm.P. 12);] the latest Recommended Childhood Immunization Schedule—United States, approved by the Advisory Committee on Immunization Practices (ACIP). As the schedule is updated, it will be available from and distributed by the Department of Health.*

[(B) Haemophilus influenzae type b. Immunization against Haemophilus influenzae type b shall be required of all children less than five (5) years of age according to the schedule which appears in Tables 1–4, section (5) of this rule. The last dose of Hib vaccine must have been received at age twelve (12) months or greater. Exemptions will be permitted upon receipt of written notification of exemption on Parent/Guardian Immunization Exemption Form (Imm.P. 11) or Medical Immunization Exemption Form (Imm.P. 12); and

(C) Measles, Mumps, Rubella—Immunization against measles, mumps and rubella shall be required of all children according to the schedule which appears in Tables 1–4, section (5) of this rule. Exemptions shall be permitted upon receipt of written notification of exemption on Parent/Guardian Immunization Exemption Form (Imm.P. 11) or Medical Immunization Exemption Form (Imm.P. 12).]

(3) Section 210.003, RSMo provides that a child who has not completed all appropriate immunizations may enroll if—

(A) Satisfactory evidence/s/ is produced that the child has begun the process of immunization. The child may continue to attend as long as the immunization process is being accomplished according to the **ACIP/Department of Health recommended schedule** *[which appears in Tables 1–4, section (5) of this rule. A Department of Health Immunizations in Progress Form (Imm.P. 14) must be on file with the immunization record of each child who is in the process of completing the required immunizations].* Failure to meet the next scheduled appointment constitutes noncompliance with the day care immu-

nization law and action shall be initiated immediately by the administrator to have the child excluded from the facility *[; or].*

[(5) The following schedules shall determine if a child is adequately immunized or when the next dose of vaccine is due for a child found to be in noncompliance with the immunization requirements:]

[(Missouri Immunization Schedules attached)]

[(6) This rule expires June 30, 2000.]

AUTHORITY: sections 192.006, RSMo Supp. 1999 and 210.003, RSMo 1994. Emergency rule filed Aug. 1, 1995, effective Aug. 11, 1995, expired Dec. 8, 1995. Original rule filed April 17, 1995, effective Nov. 30, 1995. Emergency amendment filed June 14, 2000, effective June 24, 2000, expires Feb. 22, 2001. A proposed amendment covering this same material is published in this issue of the **Missouri Register**.

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbology under the heading of the proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rule-making process. The law provides that for every proposed rule, amendment or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least 30 days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than 30 days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the 90-day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

Title 2—DEPARTMENT OF AGRICULTURE Division 110—Office of the Director Chapter 1—Missouri Qualified Fuel Ethanol Producer Incentive Program

PROPOSED AMENDMENT

2 CSR 110-1.010 Description of General Organization; Definitions; Requirements of Eligibility, Licensing, Bonding, and Application for Grants; Procedures for Grant Disbursements; Recordkeeping Requirements, and Verification Procedures for the Missouri Qualified Fuel Ethanol Producer Incentive Program. The director is amending subsection (5)(D) and removing the forms that follow this rule in the *Code of State Regulations*.

PURPOSE: This amendment removes the forms following the rule from the Code of State Regulations and removes unnecessary bonding requirement language.

(5) Bonding Requirements.

(D) The amount of the bond will be computed by multiplying the MQFEP's estimated maximum annual production of Missouri produced qualified fuel ethanol by twenty cents (20¢) per gallon for the first twelve and one-half (12.5) million gallons, plus five cents (5¢) per gallon for the next twelve and one-half (12.5) million gallons and then *[multiplying the number of months each Missouri plant will be in production during the fiscal year and then]* dividing by twelve (12).

AUTHORITY: section 142.028, RSMo [1994] Supp. 1999. Original rule filed June 14, 1995, effective Dec. 30, 1995. Amended: Filed June 13, 2000.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of Director, Department of Agriculture, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 255—Missouri Board for Respiratory Care Chapter 4—Continuing Education Requirements

PROPOSED AMENDMENT

4 CSR 255-4.010 Continuing Education Requirements. The board is proposing to delete subsection (9)(B) and reletter the remaining subsections accordingly.

PURPOSE: This amendment modifies the documentation of continuing education that may be submitted to the board.

(9) Upon request of the board, the licensee shall provide all documentation of completion of continuing educational activities. Documentation of the continuing education may consist of—

[(B) Receipts for fees paid to the sponsor;]

[(C)] (B) American Association for Respiratory Care or its successor organization(s) report of continuing education credits;

[(D)] (C) Educational transcripts from an accredited respiratory care educational program; or

[(E)] (D) A letter from the board showing approval of the continuing education hours and documentation of attendance at said program.

AUTHORITY: sections 334.800, 334.840.2, 334.850, 334.910, and 334.920, RSMo Supp. 1999. Original rule filed June 25, 1998, effective Jan. 30, 1999. Amended: Filed Dec. 30, 1999, effective June 30, 2000. Amended: Filed June 2, 2000.

PUBLIC COST: This proposed amendment is estimated to cost state agencies and political subdivisions less than \$500 in the aggregate.

PRIVATE COST: This proposed amendment is estimated to cost private entities less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Respiratory Care, P.O. Box 1335, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 7—DEPARTMENT OF HIGHWAYS AND
TRANSPORTATION
Division 10—Missouri Highway and Transportation
Commission
Chapter 1—Organization**

PROPOSED RESCISSION

7 CSR 10-1.010 Description, Organization and Information. This rule complied with section 536.023, RSMo which requires each state agency to adopt as a rule a description of its operation and the methods whereby the public may obtain information or make submissions or requests.

PURPOSE: This rule is proposed for rescission to reflect the current organizational structure of the Missouri Department of Transportation and to provide accurate addresses and phone numbers for contacting employees of the department.

AUTHORITY: section 536.023, RSMo 1986. Original rule filed Oct. 14, 1976, effective March 1, 1977. Amended: Filed March 4, 1983, effective June 15, 1983. Rescinded: Filed June 13, 2000.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Transportation, Mari Ann Winters, Secretary to the Commission, P.O. Box 270, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 1—Organization**

PROPOSED RULE

7 CSR 10-1.010 Description, Organization and Information

PURPOSE: This rule complies with section 536.023, RSMo which requires each state agency to adopt as a rule a description of its operation and the methods whereby the public may obtain information or make submissions or requests.

(1) The Missouri Department of Transportation (MoDOT) was established by legislation passed in 1996 that changed the name of the Highway and Transportation Department to MoDOT. The Highway and Transportation Department was formed when voters approved Constitutional Amendment 2 in November, 1979, merging the previously separate Highways and Transportation

Departments. MoDOT is guided by the Missouri Highways and Transportation Commission, which appoints a department director as chief executive officer. The number, qualifications, compensation and terms of the members of the commission are fixed by law. The commission has authority over all state transportation programs and facilities as provided by Article IV, Sections 29, 30(a), 30(b) and 30(c) of the *Missouri Constitution*. Under Chapter 226, RSMo, the bi-partisan Highways and Transportation Commission is composed of six (6) members and is the governing body of MoDOT. Commission members are appointed by the governor, by and with the consent of the senate, for terms of six (6) years. Not more than three (3) can be members of the same political party. The director of MoDOT, as the chief executive officer; chief counsel, as legal advisor to the commission; and secretary, as record keeper for the commission, are appointed by the commission. MoDOT's mission is to preserve and improve Missouri's transportation system to enhance safety and encourage prosperity. MoDOT is responsible for the location, design, construction and maintenance of the state's highway system. MoDOT coordinates and cooperates with the owners and operators of transportation facilities and services, which include air, rail, ports, waterborne commerce and transit. MoDOT works with these groups in the development and improvement of airports, rail facilities, ports, waterborne commerce and public and special transit systems. MoDOT administers federal and state funds for various transportation programs, as these funds become available. In carrying out these functions, MoDOT works closely with local governments and citizens of the state in the planning and development of these programs, services and facilities.

(2) The commission appoints a director, a chief counsel and a secretary under Chapter 226, RSMo.

(A) General Management.

1. The director is the chief executive officer and serves at the discretion of the commission. The director, with the consent and approval of the commission, appoints a chief engineer, chief operating officer, chief financial officer and other leaders and employees as the commission may designate and deem necessary. Under the direction of the commission, the director is responsible for the overall operations and performance of the department and prescribes the duties and authority of leaders and employees. The selection and removal of all employees is without regard to political affiliation. The director appoints a chief engineer, chief operating officer, chief financial officer and other administrators with duties as follows:

A. The chief engineer is responsible for preparation and approval of all engineering documents, plans and specifications. This position provides general oversight of all design, construction and maintenance work for the department as determined by the director.

(I) The director of operations has the overall responsibility for construction, materials, traffic and maintenance, and other activities related to them.

(II) The director of project development has the overall responsibility for right-of-way, and highway and bridge design functions.

B. The chief operating officer is responsible for all administrative operations of MoDOT. This position provides general oversight of financial and business planning, information technology and other administrative and financial functions as determined by the director.

(I) The director of planning is responsible for coordinating MoDOT's strategic plan and multimodal operations, as well as managing all aspects of transportation planning including condition analysis, research development and technology, project programming, long-range needs identification and transportation policy analysis.

(II) The chief financial officer has the overall responsibility for the business planning, accounting, reporting and interpreting, information systems, insurance and liability functions.

(III) The director of administrative services has overall responsibility for human resource programs and general services provided to MoDOT.

C. The inspector general is responsible for ensuring the integrity in the operations of the department, resolving conflicts and carrying forward MoDOT's commitment to equal employment opportunity and affirmative action both internally and with the contractors with whom MoDOT does business.

D. The public affairs director is responsible for disseminating information on the activities of the commission and MoDOT to the public and to MoDOT personnel. Public affairs coordinates customer comment to MoDOT through public involvement meetings, customer service representatives, and surveys. Public affairs helps MoDOT communicate with news media through news releases and personal contact. Public affairs also improves MoDOT contact with customers by preparing speeches, publications, displays and plans for communication and marketing.

E. The director of governmental affairs is responsible for providing liaison between MoDOT, congressional delegations, and the Missouri Legislature. Staff members disseminate information regarding proposed legislation affecting MoDOT; and analyze the content of legislation, legislative proposals, and policy options.

2. The chief counsel advises and represents the commission and the director in all actions and proceedings to which either may be a party or in proceedings under Chapters 226 and 227, RSMo or with respect to any law administered by the commission or any order or proceeding of the commission. S/he is directly responsible for all contracts, conveyances, agreements or other documents affecting the commission, property held or acquired by it and any action taken by the commission. The chief counsel, with commission approval, appoints assistant counsel as necessary to represent the commission and the department.

3. The commission secretary is responsible for maintaining records of all proceedings of the commission and is the custodian of all records, documents and papers filed with the commission.

(B) MoDOT pursues its mission through the following offices:

1. Audit and business analysis is responsible for providing internal control and audit assurance to MoDOT and the commission. Responsibilities include conducting internal reviews of division and district operations to ensure the integrity of financial management in all areas of cost generation and payments.

2. Bridge is responsible for the structural design and detailed plans production for all state highway bridges, including cost estimates and site-specific job special provisions. Additional responsibilities include maintaining the National Bridge Inventory, recommending load posting limits for both state and non-state bridges, and analyzing structures for special superload overweight permit loads traveling within the state.

3. Business and benefits support is responsible for providing administrative support to MoDOT in the areas of accounting, expenditure control and benefits.

4. Construction is responsible for administering all construction contracts awarded by the commission. Contracts are awarded through the competitive bid process, and then work is assigned to project offices located geographically throughout the state. Engineers and technicians assigned to these project offices do field surveying and perform quality control tests on the work performed by contractors to ensure quality construction that improves Missouri's transportation system.

5. Design is responsible for the location, environmental, and cultural resource studies required for initial evaluation of proposed projects; detailed route studies, ground surveys and aerial photography; and design and plan preparation including cost estimates for the state transportation projects. Design advertises and makes all preparations for receiving bids for transportation project contracts

including the development of specifications and cost estimates prior to advertising for bids.

6. General services is responsible for proper maintenance and repair of equipment and facilities owned by the commission, as well as the procurement of all equipment, materials, supplies, parts and furniture required for operations of MoDOT. Responsibilities also include various support services such as mapping and graphics, photography, warehousing and flight operations.

7. Human resources is responsible for continually developing and improving human resource processes that support MoDOT and its employees in contributing to a quality transportation system. Responsibilities include recruiting nationally for college graduates for placement throughout the state and administering employee development programs, personnel policies, the department's pay system and personnel records.

8. Information systems is responsible for providing and improving information and communication services used by employees of MoDOT through the operation and maintenance of local and statewide data networks and telephone services. Information systems staff provide applications programming expertise to support the engineering, financial, operational and general information needs of MoDOT.

9. Maintenance is responsible for assisting and supporting maintenance activities for the preservation and operation of the state highway system.

10. Materials is responsible for sampling and testing of all materials used in the construction and maintenance of roadways and structures to insure compliance with applicable standards and specifications. Materials personnel analyze pavement designs, roadway foundations, asphaltic concrete and portland cement mixtures, as well as carry out soil and subsurface condition surveys and furnish geotechnical information for the design, construction and maintenance of roads and structures.

11. Multimodal operations is responsible for administering state and federal programs and funds by coordinating and cooperating with owners and operators of the various nonhighway transportation systems which include air, rail, waterways and transit.

A. The aviation section is responsible for developing aviation facilities and services.

B. The railroads section is responsible for improving rail freight and passenger service by working with federal agencies and the railroads.

C. The waterways section is responsible for developing and promoting appropriate use of navigable waterways, including the development of ports.

D. The transit section is responsible for developing or assisting in developing public transit systems, including systems for the elderly and handicapped, in both urban and rural areas.

12. Research and development technology is responsible for conducting research in the area of new products and construction materials and methods to determine their suitability for highway purposes.

13. Resource management is responsible for coordinating financial resources and spending plans through forecasting, analysis and training.

14. Right-of-way is responsible for acquisition of right-of-way required for the construction and maintenance of all highways in addition to properties incidental to the system of state highways in Missouri, and provides relocation assistance for all persons displaced by the commission's right-of-way acquisition. Right-of-way administers the disposal or lease of land considered excess to commission needs, the regulation of outdoor advertising billboards and junkyards adjacent to state highways, and the scenic byway program.

15. Risk management is responsible for administration of the MoDOT's self-insurance operations and is responsible for workers' compensation, fleet liability, general liability and property

damage recovery. Also included under the risk management umbrella are the safety and health programs.

16. Strategic planning and policy is responsible for developing and implementing MoDOT's strategic plan; regulation review and compliance; and policy development.

17. Traffic is responsible for the safe and efficient movement of people and goods on the state highway system. This includes supporting signing, striping, traffic signals, lighting, intelligent transportation systems (ITS), roadway access and safety management programs throughout the state.

18. Transportation planning is responsible for collecting, managing and analyzing data to provide a single source of information to support MoDOT's decision process; developing and tracking the 5-Year Highway and Bridge Construction Schedule and the Statewide Transportation Improvement Program; coordinating MoDOT's local programs; and developing and coordinating a long range, total transportation system for MoDOT.

(C) Missouri is geographically divided into ten (10) Department of Transportation districts with a district office in each district. Each district office is led by a district engineer who is responsible for supervising all activities of the MoDOT within that particular district. The following counties are included in the indicated district: District 1 includes: Andrew, Atchison, Buchanan, Caldwell, Clinton, Daviess, DeKalb, Gentry, Harrison, Holt, Nodaway and Worth; District 2 includes: Adair, Carroll, Chariton, Grundy, Howard, Linn, Livingston, Macon, Mercer, Putnam, Randolph, Saline, Schuyler and Sullivan; District 3 includes: Audrain, Clark, Knox, Lewis, Lincoln, Marion, Monroe, Montgomery, Pike, Ralls, Scotland, Shelby and Warren; District 4 includes: Cass, Clay, Henry, Jackson, Johnson, Lafayette, Platte and Ray; District 5 includes: Benton, Boone, Callaway, Camden, Cole, Cooper, Gasconade, Maries, Miller, Moniteau, Morgan, Osage and Pettis; District 6 includes: Franklin, Jefferson, St. Charles, St. Louis, and the City of St. Louis; District 7 includes: Barry, Barton, Bates, Cedar, Dade, Jasper, Lawrence, McDonald, Newton, St. Clair and Vernon; District 8 includes: Christian, Dallas, Douglas, Greene, Hickory, Laclede, Ozark, Polk, Stone, Taney, Webster and Wright; District 9 includes: Carter, Crawford, Dent, Howell, Iron, Oregon, Phelps, Pulaski, Reynolds, Ripley, Shannon, Texas and Washington; and District 10 includes: Bollinger, Butler, Cape Girardeau, Dunklin, Madison, Mississippi, New Madrid, Pemiscot, Perry, Scott, St. Francois, Ste. Genevieve, Stoddard and Wayne.

(D) Although attached to the commission or MoDOT by law for organizational purposes, the following commissions, authorities and districts operate independently of MoDOT: the Missouri-Illinois Bridge Commission—Ste. Genevieve; the Missouri-Illinois Bridge Commission—Canton; the Missouri-Illinois-Jefferson-Monroe Bridge Commission; the Missouri-Tennessee Bridge Commission; the Bi-State Metropolitan Development District; the Missouri-St. Louis Metropolitan Airport Authority; the Kansas City Area Transportation Authority District; and the Mississippi River Parkway Commission. The Mississippi River Parkway Commission is authorized by sections 226.440–226.465, RSMo. All the other entities are authorized by section 14 of the Omnibus State Reorganization Act of 1974.

(3) The official residence of the commission, as well as the offices of the director, chief counsel, commission secretary and divisions of MoDOT, is the State Highways and Transportation Building in Jefferson City, Missouri. Written inquiries by the public should be addressed to the Commission Secretary, State Highways and Transportation Building, P.O. Box 270, Jefferson City, MO 65102. The general information telephone number is (573) 751-2551. Inquiries may be made via E-mail by sending electronically to comments@mail.modot.state.mo.us. Information from any district office of the department may be obtained in person, by writing or by telephoning the District Engineer, Missouri Department of Transportation: District 1, 3602 North Belt Highway, P.O. Box

287, St. Joseph, MO 64502, (816) 387-2350; District 2, U.S. Route 63, P.O. Box 8, Macon, MO 63552, (660) 385-3176; District 3, 1711 South Route 61, P.O. Box 1067, Hannibal, MO 63401, (573) 248-2490; District 4, 600 NE Colbern Rd., P.O. Box 648002, Lee's Summit, MO 65064, (816) 622-6500; District 5, 1511 Missouri Boulevard, P.O. Box 718, Jefferson City, MO 65102, (573) 751-3322; District 6, 1590 Woodlake Drive, Chesterfield, MO 63017, (314) 340-4100; District 7, 3901 East 32nd Street, P.O. Box 1445, Joplin, MO 64802, (417) 629-3300; District 8, 3025 East Kearney, M.P.O. Box 868, Springfield, MO 65801, (417) 895-7600; District 9, 910 Springfield Rd., P.O. Box 220, Willow Springs, MO 65793, (417) 469-3134; and District 10, 2675 N. Main Street, P.O. Box 160, Sikeston, MO 63801, (573) 472-5333.

AUTHORITY: section 536.023, RSMo Supp. 1999. Original rule filed Oct. 14, 1976, effective March 1, 1977. Amended: Filed March 4, 1983, effective June 15, 1983. Rescinded and readopted: Filed June 13, 2000.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: The private entity cost for this proposed rule is estimated to be less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule by submitting comments in writing to Secretary to the Commission, Missouri Department of Transportation, P.O. Box 270, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 12—DEPARTMENT OF REVENUE

Division 10—Director of Revenue

Chapter 23—Motor Vehicle

PROPOSED AMENDMENT

12 CSR 10-23.446 Notice of Lien. The director proposes to amend section (2).

PURPOSE: This amendment removes the alternative method of perfecting liens. The amendment eliminates any transition procedures and provides for the sole method and procedure for perfection of a lien.

(2) A notice of lien for a motor vehicle, trailer, all terrain vehicle, boat or outboard motor *[may]* **shall** be *[either]* **in** a form provided **or approved** by the director of revenue entitled "Notice of Lien" *[or the lienholder's copy of the application for title and registration, and in either case]* **and** contain~~ing~~ the following information:

AUTHORITY: sections 301.600 and 306.400, RSMo Supp. 1999. Emergency rule filed Aug. 18, 1999, effective Aug. 28, 1999, expired Feb. 23, 2000. Original rule filed Aug. 18, 1999, effective Feb. 29, 2000. Amended: Filed June 13, 2000.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Revenue, Office of Legislation and Regulations,

P.O. Box 629, Jefferson City, MO 65105. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 103—Sales/Use Tax—Imposition of Tax**

PROPOSED RULE

12 CSR 10-103.370 Manufactured Homes

PURPOSE: Sections 144.044 and 700.010, RSMo create a partial tax exemption for new manufactured homes and an exclusion for qualifying used manufactured homes. This rule interprets the tax law as it applies to the sale of manufactured homes. This rule also identifies charges included as part of the retail sale price of the manufactured home.

(1) In general, the retail sale of a new manufactured home is considered to be a sale of sixty percent (60%) tangible personal property and forty percent (40%) service. The sixty percent (60%) portion of the sale price is subject to tax. The sale of a used manufactured home upon which Missouri tax has already been paid is not subject to tax. The sale of a used manufactured home on which Missouri tax has not already been paid is subject to tax on one hundred percent (100%) of the sale price.

(2) Definition of Terms.

(A) Dealer—any person, other than a manufacturer, who sells or offers for sale four or more manufactured homes, recreational vehicles or modular units in any twelve (12)-month period.

(B) Manufactured home—a factory built structure designed to be used as a dwelling unit with or without permanent foundation, equipped with the necessary service connections and made to be readily moveable on its own running gear. A modular unit is not a manufactured home and is subject to the same tax rules that apply to a building constructed by a contractor.

(C) Setup—the services performed for the purchaser at the occupancy site including but not limited to, moving, blocking, leveling, supporting and assembling multiple or expandable units.

(3) Basic Application of Tax.

(A) Dealers selling new manufactured homes must collect and remit tax on sixty percent (60%) of the gross receipts from these sales. The dealer must provide the buyer of a new manufactured home a signed receipt confirming that tax has been paid.

(B) The owner of a new manufactured home must produce a signed receipt for the tax on the purchase price of the new manufactured home when applying for title. If the owner fails to present a signed receipt, the owner must remit the tax due on the new manufactured home prior to title being issued.

(C) The sale of a used manufactured home upon which Missouri tax has already been paid is not subject to Missouri tax. The sale of a used manufactured home upon which Missouri tax has not been previously paid is subject to tax on one hundred percent (100%) of the purchase price unless the used manufactured home meets the requirements of section 700.111, RSMo.

(D) The transfer of the ownership of or title to a manufactured home involving the assumption of the obligation to pay for the home is considered a sale at retail of the manufactured home subject to tax unless Missouri tax has been previously paid.

(E) The new manufactured home dealer is responsible for collecting tax on sixty percent (60%) of the retail sale price. The retail sale price includes additional tangible personal property installed by the manufacturer. Any other tangible personal property added by a dealer should be separately stated and taxed at one hundred percent (100%) of the sale price.

(F) A dealer may separately state charges for setup and installation. These charges would not be subject to tax because the dealer is performing a service. The dealer should pay tax, at the time of purchase, on any materials used in performing these services. Setup and installation can include but are not limited to adding a deck to the home or pouring concrete slabs as a foundation for the home.

(G) The dealer should pay tax, at the time of purchase, on items that are attached to a used manufactured home on which Missouri tax was previously paid. The dealer should purchase items attached to a used manufactured home on which Missouri sales tax has not been paid under a sale for resale exclusion.

(4) Examples.

(A) A customer ordered a new manufactured home from a dealer. The manufacturer included an installed stove, refrigerator, and washer/dryer for a total package price of \$35,000. The customer requested the dealer to deliver and set up the manufactured home. The dealer separately states these charges from the package price. Tax is due on sixty percent (60%) of \$35,000 or \$21,000. The dealer should pay tax on its purchase of any supplies used for the setup and delivery of the manufactured home. The customer should retain his paid receipt to verify tax paid when making application for license/title/registration of the manufactured home.

(B) A dealer took a manufactured home in trade from a customer. The original owner paid Missouri tax. The dealer sells the used manufactured home. No tax is due on the used manufactured home because tax was paid on the original purchase of the home.

(C) A dealer sold a new manufactured home. As an incentive, the dealer included a computer, stove and refrigerator that was not attached as part of the home from the manufacturer. These additional items should be separately stated from the manufactured home sale price and taxed at one hundred percent (100%). The dealer may issue a resale exemption certificate when purchasing these items.

(D) A dealer hires a contractor to add patios and garages to the site for customers who purchase new manufactured homes. These charges can be separately stated from the manufactured home sale price without being taxed. The contractor should pay tax on any supplies used to build the patios and garages because the contractor is the final user and consumer of these supplies.

AUTHORITY: section 144.270, RSMo 1994. Original rule filed June 13, 2000.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Revenue, Office of Legislation and Regulations, P.O. Box 629, Jefferson City, MO 65105-0629. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 103—Sales/Use Tax—Imposition of Tax**

PROPOSED RULE

12 CSR 10-103.600 Sales of Tangible Personal Property and Services

PURPOSE: Section 144.020.1, RSMo provides that sales of tangible personal property and certain enumerated services are subject to tax. Section 144.010.1(3), RSMo defines which charges are subject to tax when included in the sale price of tangible personal property. This rule explains which charges are subject to tax when a transaction involves the sale of a service or both tangible personal property and a nontaxable service.

(1) In general, the sale of tangible personal property is subject to tax unless a specific statute exempts it. The sale of a service is not subject to tax unless a specific statute authorizes the taxation of the service. When a sale involves both tangible personal property and a nontaxable service, the sale of the tangible personal property will be subject to tax, and the service will not be subject to tax, if the sale of each is separate. When the sale of tangible personal property and a nontaxable service are not separable, the entire sale price is taxable if the true object of the transaction is the transfer of tangible personal property. None of the sale price is taxable if the true object of the transaction is the sale of the nontaxable service.

(2) Definition of Terms.

(A) Personal service—service involving either intellectual or manual personal labor of the server rather than a salable product of the server's skill.

(B) Sale price—the consideration paid to the seller for tangible personal property, including any service charges other than charges incident to the extension of credit.

(C) True object—the real object the buyer seeks in making the purchase. The essentials of the transaction determine the true object. The true object of the transaction is the tangible personal property if:

1. The purchaser desires and uses the tangible personal property;
2. The tangible medium is not merely a disposable conduit for the service or intangible personal property;
3. The tangible personal property is a finished product; or
4. The tangible personal property is not separable from the service or intangible personal property.

(D) The true object of the transaction is the service or intangible personal property if the tangible personal property is merely the medium of transmission for an intangible product and can be discarded after the purchaser has obtained access to the intangible component.

(3) Basic Application.

(A) Shipping, Handling, Minimums, Gratuities and Similar Charges.

1. If the purchaser is required to pay for the service as part of the sale price of tangible personal property, the entire sale price is subject to tax.

2. If the purchaser is not required to pay the service charge as part of the sale price of tangible personal property, the amount paid for the service is not subject to tax if the charge for such service is separately stated. If the charge for the service is not separately stated, the entire sale price is subject to tax.

(B) Repair and Personal Services.

1. If the amount paid for the repair or personal service is separately stated from the tangible personal property used to perform the repair or personal service, the amount paid for the repair or personal service is not subject to tax.

2. If the amount paid for the repair or personal service is not separately stated, the entire sale price is taxable. However, if the retail price of the tangible personal property constitutes less than ten percent (10%) of the total sale price, the department will consider none of the sale price as taxable. The seller must pay tax on the purchase of the tangible personal property.

(C) All Other Transactions.

1. If the purchaser obtains a service as part of a transaction in which the true object is the purchase of tangible personal property, the entire sale price is taxable even if the charge for the service is separately stated.

2. If the purchaser obtains tangible personal property as part of a transaction in which the true object of the transaction is the purchase of a service, none of the sale price is taxable unless the charge for the tangible personal property is separately stated. If the charge for the tangible personal property is separately stated only the charge for the tangible personal property is taxable.

(D) A person selling tangible personal property to a retailer of a nontaxable service must collect and remit tax on such sales.

(E) When a service provider also sells tangible personal property in transactions separate from the provision of services, the sales of tangible personal property are subject to tax.

(4) Examples.

(A) A steel fabricator enters into an agreement to fabricate steel beams for a building. The fabricator makes a retail sale of the steel beams. Even though the fabrication labor is separately stated on the sales invoice, the total sale price including charges for the fabrication labor is subject to tax.

(B) A person purchases a compact disc (CD) through a mail order club. The seller charges a set amount for shipping and handling the CD. Because the buyer is required to pay the shipping and handling charge, the entire amount charged, including the shipping and handling, is subject to tax.

(C) A family purchases furniture from an out-of-state seller. The seller gives the buyer a choice of shipping the furniture or the buyer may arrange for the furniture to be delivered to their home. Because the shipping is optional, it is not subject to tax.

(D) A person purchases ten (10) yards of concrete from a concrete company. The concrete company separately states the optional delivery charge but has a mandatory minimum service charge of twenty-five dollars (\$25) on all orders less than twelve (12) yards. Tax is due on the concrete price and the mandatory service charge, but not on the delivery charge.

(E) A car dealer sells an automobile to a buyer, which includes as part of the purchase price an initial warranty for services including parts. Tax is due on the entire sale price. The dealer does not owe tax on parts supplied pursuant to the initial warranty when the manufacturer provides the parts to the dealer free of charge. The car dealer also sells the buyer an optional extended warranty beyond the initial warranty for services only. The sale price for the optional warranty is separately stated. The extended warranty is not subject to tax. If the dealer bills the buyer additional charges for repair parts as needed, the dealer must charge the buyer tax on the repair parts. If the extended warranty includes parts, the dealer is liable for tax on the purchase of the parts used to fulfill the extended warranty contract.

(F) Taxpayer sells a typewriter for three hundred dollars (\$300) and an optional one (1) year maintenance contract for an additional twenty-five dollars (\$25). The maintenance contract is segregated on the billing from the cost of the typewriter. Tax is due on the three hundred dollars (\$300) but is not due on the twenty-five dollars (\$25) maintenance contract. If the maintenance contract states that the seller provides repair parts, the seller must pay tax on its purchases of repair parts to fulfill the agreement. If the maintenance contract states that the seller bills the customer an additional charge for repair parts, then the seller must collect and remit tax on the amount charged for the parts.

(G) An architect prepares original architectural plans for an addition to a home. Because the true object of this transaction is the architectural service, the original plans and copies prepared by the architect are not subject to tax, unless the architect separately states the charge for the copies. If the architect uses the services of another party to create the copies, the third party should charge

the architect tax. Copies of the plans purchased by the homeowner from a third party are subject to tax.

(H) A tool and die manufacturer designs and builds a custom machine tool for a customer. The tool will be installed on the customer's existing equipment. The manufacturer purchases from an independent mechanical engineer shop drawings showing how to build the tool and showing precisely how and where the tool should be installed on the customer's equipment. The manufacturer's agreement with its customer requires that the drawings be provided to the customer along with the tool. The entire purchase price paid by the manufacturer's customer, including the cost of the shop drawings (even if separately stated) is subject to tax. The transfer of the drawings is a part of the sale of the tool.

(I) A monument seller separately states its charges for headstones and inscription of headstones. The entire sale price, including inscription, is taxable.

(J) A person takes her car to a mechanic for new brakes. The mechanic installs new brakes and charges sixty dollars (\$60) for the parts and fifty dollars (\$50) for labor, which is separately stated on the invoice. Tax is due on the sixty dollars (\$60) charge for the brakes. If the mechanic does not separately state the labor, tax should be charged on the total invoice of one hundred ten dollars (\$110), because the cost of new brakes exceeds ten percent (10%) of the sale price of the repair.

(K) A warehouse stores and ships materials in cardboard boxes. The charge for the boxes is included in the charge for the warehousing service and not separately stated. The charge for the boxes is not subject to tax, and the warehouse must pay tax on its purchases of the boxes. If the charge for the boxes is separately stated, it is subject to tax.

(L) A binding company binds materials provided to it by customers and also binds books that it sells to the public. Materials and supplies used by the binding company in binding materials for customers are not subject to tax unless the charges for the materials and supplies are separately stated. The binding company must pay tax on its purchase of such materials and supplies. The binding company may purchase exempt from tax materials and supplies it incorporates in books made for sale to the public.

(M) A laundry or dry cleaner provides a nontaxable service and does not collect or remit tax. The laundry or dry cleaner should pay tax on tangible personal property used in performing the service including items such as hangers and plastic bags. If a laundry also sells laundry detergents, sales of the detergents are subject to tax.

(N) A man takes his suit to the dry cleaner with a request to clean and press the suit, replace a missing button and sew a split seam. Because the price of the button and thread is less than ten percent (10%) of the total cost the dry cleaner does not collect tax. The dry cleaner should purchase these materials subject to tax.

(O) A barbershop that also sells hair care products must collect and remit tax on all sales of such products.

AUTHORITY: section 144.270, RSMo 1994. Original rule filed June 8, 2000.

PUBLIC COST: The proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Revenue, Office of Legislation and Regulations, P.O. Box 629, Jefferson City, MO 65105. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 104—Sales/Use Tax—Registration**

PROPOSED RULE

12 CSR 10-104.020 Sales and Use Tax Bonds

PURPOSE: Section 144.087, RSMo requires all applicants for a retail sales tax license and all licensees in default in filing a return and paying taxes when due to file a bond in an amount to be determined by the Director of Revenue. Section 144.625, RSMo authorizes the department to require a bond from out-of-state vendors responsible for remitting vendor's use tax. This rule explains how to calculate and submit a bond, the different types of bonds that may be filed with the department, and how to obtain a bond refund.

(1) In general, all new taxpayers applying for a retail sales tax license or vendors use tax license, and taxpayers seeking reinstatement of a revoked license must file a bond in an amount determined by the director. The bond may be a cash bond, surety bond, certificate of deposit or an irrevocable letter of credit. The department will refund the bond to the taxpayer after two (2) years of satisfactory tax compliance or when the taxpayer closes its sales/use tax account, provided the account has no outstanding delinquencies.

(2) Basic Application of Tax.

(A) Taxpayers applying for a retail sales tax license or vendor's use tax license, or a taxpayer in default in filing a return and paying taxes, must submit a bond calculated at three (3) times the average monthly tax liability of the taxpayer. The department will not issue a license until the taxpayer submits sufficient bond. The bond amount of a new applicant is based on three (3) times the previous owner's average monthly tax liability for the prior twelve (12) months. The department estimates the bond based on the nature of the applicant's business. If the business is substantially the same as that of a previous owner, the previous business experience may be used. If the department determines a bond is insufficient to cover the taxpayer's liability, the department can require the taxpayer to adjust the bond amount.

(B) If the calculated bond amount of a new business is less than five hundred dollars (\$500), the taxpayer can submit a minimum bond of twenty-five dollars (\$25). If the bond is calculated at five hundred dollars (\$500) or more, the calculated amount must be submitted, rounded to the nearest ten dollars (\$10). A taxpayer reinstating a revoked license must submit the calculated amount even if that amount is less than five hundred dollars (\$500).

(C) Cash bonds must be in the form of a cashier's check, money order, certified check or charged to a credit card accepted by the department. A completed and signed cash bond form must accompany a cash bond.

(D) A surety bond issued by an insurance company licensed for bonding in Missouri may be submitted as bond on behalf of the taxpayer. The surety bond must bear the seal of the insurance company, contain the current effective date, be accompanied by a power of attorney letter if it is signed by the attorney in fact, and must be signed by the applicant. The department maintains a list of insurance companies approved by the Department of Insurance to underwrite surety bonds in Missouri. Surety companies who fail to comply with the rules of the Department of Insurance or who unreasonably fail to pay a taxpayer's delinquency within thirty (30) days of notification that the taxpayer has become delinquent, are subject to removal from the department's list of authorized surety companies. Additionally, the department will not accept future bonds from this company until the Department of Insurance reinstates the surety company. A taxpayer bonded by a

surety company that is removed from the department's authorized list has thirty (30) days to file a new bond with the Department of Revenue. Failure to meet this requirement will result in the license being declared null and void.

(E) A certificate of deposit (CD) issued by a state or federally chartered financial institution may be submitted as a bond. A CD must be a new CD in the names of the Missouri Department of Revenue and the taxpayer. The names on the CD must be joined by the word "AND." The CD must be endorsed by the taxpayer and include an Assignment of Certificate of Deposit Form when submitted to the department. Book entry CDs must be accompanied by a signed withdrawal slip or a letter from the issuing bank indicating the means of withdrawal. The interest derived from the CD is compounded at maturity. If a delinquency occurs, the department may redeem the CD. Any proceeds from the CD exceeding the delinquency, including interest proceeds, will be converted to a cash bond. The department will not reinvest the proceeds from the CD after it has been converted to a cash bond. The taxpayer is liable for all taxes on the interest derived from the CD or penalties resulting from cashing the CD prior to maturity even if the department seizes the CD (and accumulated interest) for payment of a delinquency incurred by the taxpayer.

(F) An irrevocable letter of credit issued by a commercial bank chartered under the laws of Missouri or chartered pursuant to the National Banking Act may be submitted as a bond. The letter of credit is irrevocable and the beneficiary is the department. Payment will be made immediately upon presentation of a demand for payment signed by the Director of Revenue or his/her designated representative. All letters of credit must conform to a required format provided by the department and be accompanied by an authorization for release of confidential information to the issuing bank. The issuer can cancel a letter of credit sixty (60) days after written notice is delivered to the department. If the department is notified of a cancellation, the taxpayer must substitute another bond within sixty (60) days. If the required bond is not received within the sixty (60) days, the taxpayer's license is null and void. If a taxpayer closes its business, the department will retain the letter of credit until satisfied that no claim exists against the letter.

(G) The department may refund or release a bond to the taxpayer after two (2) years of satisfactory tax compliance. A taxpayer's tax record is considered satisfactory if there is no tax due and the taxpayer has fully filed and paid all returns due in a timely manner. The bond will also be released or refunded when the taxpayer closes its sales/use tax account, files a final return, and owes no tax, penalties, or interest. If a taxpayer replaces its current bond by any other acceptable type of bond, the bond being replaced will also be returned.

(3) Examples.

(A) A taxpayer purchases a restaurant. The restaurant is currently open for business and the taxpayer will take over and continue the operation without interruption. In reviewing the previous owner's sales, the taxpayer's bond is calculated using the following tax liability of the previous owner:

January	\$150.25
February	\$160.75
March	\$176.50
April	\$185.75
May	\$203.25
June	\$226.50
July	\$221.25
August	\$210.25
September	\$206.00
October	\$185.75
November	\$160.50
December	<u>\$211.25</u>
Total	\$2,298.00

The taxpayer divides \$2,298 by 12 to arrive at the average monthly tax liability of \$191.50. To compute the bond, he multiplies this figure by three, for a total of \$574.50 ($\$191.50 \times 3 = \574.50). This amount is rounded to the nearest \$10, or \$570. The taxpayer submits a \$570 bond.

(B) A taxpayer is opening an ice cream shop. She has never been in business before and is not purchasing an existing business. She estimates her monthly tax liability to be \$100. The taxpayer submits the minimum \$25 bond since \$300 is less than the \$500 threshold.

(C) A taxpayer has purchased a craft store that was operated by another individual in the past. The previous craft store was closed for four months. Based on the previous craft store's sales, the amount of bond required is \$750. The taxpayer must submit a \$750 bond.

(D) A taxpayer has been operating a hot dog stand for the past 18 months. The sales tax license is revoked for failure to report and remit sales tax. The department already seized the bond originally submitted when registering as a new taxpayer. The department determines the average monthly liability over the past 12 months was \$150. In order to have the license reinstated, the taxpayer must submit a new bond in the amount of \$450 ($3 \times \150). The taxpayer cannot submit the minimum \$25 bond even though the calculated bond is less than \$500.

AUTHORITY: sections 144.270 and 144.705, RSMo 1994. Original rule filed June 8, 2000.

PUBLIC COST: The proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to the proposed rule with the Department of Revenue, Office of Legislation and Regulations, P.O. Box 629, Jefferson City, MO 65105. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 12—DEPARTMENT OF REVENUE Division 10—Director of Revenue Chapter 108—Sales/Use Tax—Taxable Services

PROPOSED RULE

12 CSR 10-108.600 Transportation Fares

PURPOSE: Section 144.020.1(7), RSMo imposes a tax on certain intrastate transportation fares. This rule explains the application of this section to transportation fares.

(1) In general, sales of tickets by every person operating a railroad, boat, and such buses and trucks as are licensed by the Division of Motor Carrier and Railroad Safety of the Department of Economic Development, engaged in the intrastate transportation of persons for hire are subject to tax.

(2) Definition of Terms.

(A) Intrastate transportation—The transportation of a person from one location in Missouri to another location in Missouri.

(B) Division—Division of Motor Carrier and Railroad Safety of the Department of Economic Development.

(3) Basic Application of Tax.

(A) Gross receipts from the sale of tickets for intrastate transportation of persons for hire by persons operating buses and trucks

licensed by the division are subject to tax. The gross receipts from the sale of tickets for intrastate transportation of persons for hire by persons operating a railroad, sleeping car, dining car, express car or boat are also subject to tax. Federal law prohibits taxation of receipts from the intrastate transportation of persons for hire in air commerce.

(B) Transportation charges by taxicabs, limousine services and buses that are not required to be licensed by the division are not subject to tax.

(C) Transportation charges provided on a contract basis, when no ticket is issued, are not subject to tax.

(D) Passengers engaged in an interstate trip must pay tax on the intrastate portion of a ticket, if separately stated.

(4) Examples.

(A) A person purchases a bus ticket for travel from St. Louis, MO to Kansas City, MO. The gross receipts from the ticket sale are subject to tax.

(B) A person is traveling from Indianapolis, IN to Denver, CO. The ticket separately states the charges between St. Louis, MO to Kansas City, MO. The separate charges for this journey are subject to tax.

(C) A company charters a bus to take its employees to Sedalia, MO. No tax is due because there is no sale of tickets.

AUTHORITY: section 144.270, RSMo 1994. Original rule filed June 13, 2000.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Revenue, Office of Legislation and Regulations, P.O. Box 629, Jefferson City, MO 65105. To be considered, comments must be received within thirty days after publication of this notice on the Missouri Register. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 110—Sales/Use Tax—Exemptions**

PROPOSED RULE

12 CSR 10-110.220 Hotels and Motels

PURPOSE: This rule explains the taxability of rooms, meals and drinks provided by hotels, motels, and similar establishments in which these items are regularly provided to the public. It also covers purchases made by these establishments. The applicable sections are 144.010, 144.011, 144.020, 144.021, 144.030 and 144.080, RSMo.

(1) In general, sales or charges for rooms, meals or drinks at a place that regularly serves the public are taxable.

(2) Definitions. Permanent resident—An individual who contracts in advance for a room for a period of thirty consecutive days or more and who actually remains a guest for thirty consecutive days or more. Businesses do not qualify as permanent residents.

(3) Basic Application of the Tax.

(A) Charges for rooms, meals, and drinks furnished by hotels, restaurants, and other establishments, in which rooms, meals, or drinks are regularly served to the public, are taxable. Rooms for

lodging as well as meeting, banquet and conference rooms are taxable.

(B) A permanent resident is not subject to tax on their lease or rental payments. A permanent reservation for any room is not synonymous with permanent resident.

(C) An educational institution, which furnishes room and board to students in pursuit of their educational objectives, is not subject to tax on the gross receipts.

(D) Persons engaged in providing rooms are subject to tax on the gross receipts from the sale of tangible personal property and taxable services:

1. Receipts for food or drink are taxable regardless of whether the charge is made per meal, daily, weekly, or monthly;

2. In room pay-per-view programs or movies are not subject to tax; and

3. All persons engaged in providing rooms must collect tax on all charges for telecommunication services, including intrastate and interstate calls.

(E) Rooms, meals and drinks are exempt from tax if sold to an exempt organization or a representative of that organization if the seller has documentation of the exemption. If the representative claims the exemption, even if the representative pays with his own funds and is reimbursed, and the hotel has a copy of a valid exemption letter issued by the Missouri Department of Revenue to the organization, the sale is exempt. An agent of the United States government paying with a U.S. government credit card is also exempt.

(F) Persons providing complimentary meals and drinks or non-reusable tangible personal property as part of the room accommodation should not pay tax on the purchases. Non-reusable items include soap, shampoo, tissue, and food or confectionery items offered to the guests without charge.

(G) The purchaser must pay tax on the purchase of reusable items including furniture, curtains, linens, towels, pillows, mirrors, radios and televisions for room accommodation.

(4) Examples.

(A) A hotel rents a room to a guest for a night. The soap and shampoo are included in the price of the room and may be purchased tax exempt by the hotel under a resale exemption. The complimentary breakfast provided to the guest is also included in the price of the room, and the hotel may purchase the food under a resale exemption. The towels, bed linens and furniture are subject to tax at the time of purchase.

(B) A hotel provides a complimentary room for a couple's wedding night. The hotel includes a free bottle of champagne and a free breakfast. The hotel must pay tax on the cost of the champagne and the breakfast because the hotel did not charge for the room.

(C) An airline reserves rooms at a hotel under a long-term room contract. In exchange for room availability, the airline agrees to pay for all rooms on a guaranteed basis, whether or not it uses the rooms. The entire charge for the rooms is taxable, regardless of whether the rooms are actually used.

AUTHORITY: section 144.270, RSMo 1994. Original rule filed June 13, 2000.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Revenue, Office of Legislation and Regulations, P.O. Box 629, Jefferson City, MO 65105-0629. To be considered, comments must be received within thirty days after the publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 112—Sales/Use Tax—Contractors

PROPOSED RULE

12 CSR 10-112.010 Contractors

PURPOSE: This rule interprets sections 144.010, 144.020, 144.030 and 144.062, RSMo as they relate to taxation of sales and purchases by contractors.

(1) In general, a contractor is the final user and consumer of the materials and supplies used and consumed in fulfilling a construction contract and which become part of a completed real property improvement. Consequently, persons selling materials and supplies to a contractor are subject to tax on the gross receipts from all such sales because the purchase is not for resale as tangible personal property.

(2) Definition of Terms.

(A) Contractor—Any person entering into an agreement to improve, repair, replace, erect or alter real property.

(B) Dual operator—A taxpayer who purchases materials and supplies for both consumption, as a contractor, and resale, as a retailer.

(C) Real property—Land and items permanently affixed to land, such as buildings.

(3) Basic Application of Tax.

(A) Title Transfer—If title passes from the contractor to the purchaser before attachment of the tangible personal property to real property, the contractor does not pay tax on its purchase, but must collect tax on the sale price of the item. If title passes after the attachment, the contractor is subject to tax on its purchase of the tangible personal property and does not collect tax on its transfer of ownership or title of the item. In general, title passes after installation is complete, unless the contractor and purchaser expressly agree otherwise.

(B) Dual Operator—When a dual operator purchases materials that are specifically identified for use in a contracting job, it should pay tax on the purchase of the materials. Dual operators should present a resale exemption certificate when purchasing materials for inventory that may be used either for resale or contract jobs. When materials are removed from inventory for use in a contracting job, the dual operator should pay sales tax if purchased in-state or use tax if purchased out-of-state based on the original purchase price of the material.

(C) Flow Through Exemptions—Certain exemptions that are based on the ultimate owner's use of an item (such as the exemption for manufacturing machinery) may flow through to the contractor selling and installing the item. To claim an exemption under these circumstances, the contractor must obtain a signed exemption certificate from the ultimate owner and provide a copy to its supplier.

(D) Flow Through Project Exemptions—A contractor, including subcontractors working for the contractor, constructing, repairing or remodeling facilities for a specific exempt entity, may purchase tax exempt tangible personal property and materials incorporated into or consumed in the project if the exempt entity furnishes to the contractor a project exemption certificate. Tangible personal property and materials that can only be used for one construction, repair or remodeling job which are actually used up in performing the contract are consumed. Examples include sandpaper, fuel to run equipment and drill bits that are actually used up in the performance of the exempt contract. Items that are not consumed are hand tools, drinking water coolers, hardhats and bulldozers. For

purposes of this flow through exemption an exempt entity is limited to:

1. Political subdivisions exempt under Article III section 39 (10) of the *Missouri Constitution*;
2. Federal government and its instrumentalities;
3. Religious organizations;
4. Charitable organizations;
5. Elementary and secondary schools, public and private; or
6. Higher education institutions, public and private.

(E) No specific form is required for the "Project Exemption Certificate," per section 144.062, RSMo, but the following information must be included:

1. Name and address of exempt entity;
2. Missouri tax identification number of the exempt entity;
3. Signature of an authorized representative;
4. Location of the project;
5. Description of the project;
6. Unique identification number for the project;
7. Beginning and estimated ending date of the project; and
8. Expiration date of the project exemption certificate.

(F) Out-of-State Construction Job—Contractors purchasing tangible personal property in Missouri for use out-of-state are subject to tax on the purchase. However, contractors may purchase tangible personal property exempt from Missouri tax for use out-of-state on a construction contract with an entity authorized to issue an exemption certificate under that state's law per section 144.030.2(36), RSMo.

(4) Examples.

(A) A company that fabricates windows, doors and siding markets its product in a showroom making direct sales to consumers, and also uses its product as the contractor on construction projects nationwide. The company is a dual operator. It should issue vendors an exemption certificate for all material purchases that are fabricated into their products. All direct sales through the product showroom are subject to tax on the total price of the products sold. If the company purchases materials specifically intended for the manufacture of products to be used on a particular construction project, it should pay tax on its material purchases. However, when the company removes products from inventory and uses them on construction projects, it should accrue tax on the original cost of the materials used to manufacture the product. If the company cannot determine where it purchased the original materials, it may accrue tax at the rate where the company is located.

(B) A Missouri-based company has expanded its operations. It now fabricates for sale the manufacturing machinery to produce its products. It has also developed an earthquake proof structure that it is contracting with municipalities nationwide to erect. The company should charge tax on the sale of the production machinery. It may sell the machinery tax exempt if the purchaser issues a valid exemption certificate. The purchaser need not be the entity using the machinery. The company may accept a "flow through" exemption from a contractor.

(C) A company should accrue tax on the original purchase cost of items taken out of inventory to be consumed in the fulfillment of its construction contracts. The company does not have to self-accrue tax on materials consumed in construction contracts if the exempt entity issues a project exemption certificate (as authorized by section 144.062, RSMo). If the contract is for an out-of-state project and the out-of-state entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws, the company may accept an exemption certificate and not self-accrue tax.

AUTHORITY: section 144.270, RSMo 1994. Original rule filed June 13, 2000.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Revenue, Office of Legislation and Regulations, P.O. Box 629, Jefferson City, MO 65105. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 113—Sales/Use Tax—Use Tax**

PROPOSED RULE

12 CSR 10-113.300 Temporary Storage

PURPOSE: section 144.610, RSMo imposes use tax on the sale of tangible personal property that is purchased for use, storage or consumption in this state. Section 144.620, RSMo creates a presumption that tangible personal property sold for delivery in or transportation to Missouri is for use, storage or consumption in Missouri unless otherwise excluded. Sections 144.605(10) and (13), RSMo define the incidence of "storage" and "use." These sections provide an exclusion from use tax for property that is purchased for temporary storage in Missouri with the intent to subsequently use the property outside Missouri. This rule interprets this exclusion.

(1) In general, the temporary storage of property in this state with the intent to subsequently use the property outside the state is not subject to use tax.

(2) Definition of Terms.

(A) Storage—Any keeping or retention in this state of tangible personal property purchased from an out-of-state vendor, except property for sale or property that is temporarily kept or retained in this state for subsequent use outside the state. To be "for subsequent use outside the state" the purchaser must intend at the time the property is delivered to a Missouri location to subsequently use the property outside the state.

(B) Temporary—Generally, property kept or retained for less than a year may be considered temporary.

(C) Use—The exercise of any right or power over tangible personal property incident to the ownership or control of that property, except temporary storage of property in this state for subsequent use outside the state, or for sale of the property in the regular course of business.

(3) Basic Application of Exclusion.

(A) The purchase of tangible personal property from an out-of-state vendor that is temporarily kept or retained in this state for subsequent use outside the state is not subject to use tax. Any use of the property involving the exercise of any right, dominion, control or power over the tangible personal property, other than temporarily keeping or retaining the property in this state for subsequent use outside the state, constitutes a taxable use.

(B) Keeping or retaining tangible personal property in this state for longer than a temporary period subjects the purchase of the property to use tax, even if the property will be used subsequently outside the state.

(C) The purchaser need not designate at the time of purchase which specific property is for subsequent use outside the state, provided the purchaser can otherwise establish that some of the

property is intended for subsequent use out-of-state. Intent can be shown by demonstrating the normal practices of the business or specific circumstances of the transaction. The commingling of property on which tax has already been paid with property on which tax has not already been paid, does not disqualify the property from the exclusion, but makes it difficult for the taxpayer to document which property was intended for use outside the state.

(D) The exclusion will not apply if any further processing, fabrication or other modifications are performed on or to the property while in this state.

(4) Examples.

(A) A Missouri contractor purchases from an out-of-state vendor materials and supplies for an out-of-state job. The items purchased are specifically ordered for the out-of-state job, are earmarked as such on the purchase orders and are delivered to the contractor temporarily in Missouri. No further processing, fabricating or other modifications are performed on the items. The materials and supplies purchased are not stock items that may be used in other ongoing jobs either within or without the state. The purchase of the materials and supplies would not be subject to use tax in Missouri.

(B) Same facts as in Example A, however the Missouri contractor performs fabrication labor on the materials in preparation for the out-of-state job at its location in Missouri. The purchase of the materials would then be subject to Missouri use tax.

(C) A Missouri law firm that has an office in Kansas orders ten computers from an out-of-state vendor for use in its Kansas office. The purchase orders are specifically earmarked accordingly. The computers will only be in Missouri for a few days in order to load the firm's network software. The purchase of the computers would be subject to Missouri use tax because loading the firm's software constitutes a taxable use.

(D) A taxpayer purchases equipment from an out-of-state vendor for storage in Missouri that it intends at the time of purchase to transfer the equipment to an out-of-state facility in eighteen months. The purchase is subject to use tax.

(E) Taxpayer is a wholesaler of goods. It purchased samples from an out-of-state vendor, which were delivered directly to its Missouri warehouse. The taxpayer at the time of purchase intended that twenty percent (20%) of the samples would go to its Missouri sales force and the other eighty percent (80%) would go to its out-of-state salespersons. All the samples were commingled and were only in Missouri for three (3) months. Because the wholesaler intended to send eighty percent (80%) of the samples out-of-state, the purchase of the eighty percent (80%) is exempt from use tax. However, the wholesaler should pay state and local use tax on any portion of the eighty percent (80%) all items used in Missouri at the time the samples are removed from the warehouse. Local use tax applies based on the location of the warehouse.

(F) A Missouri wholesaler purchases brochures from non-Missouri suppliers. The brochures are shipped to the wholesaler's warehouse in Missouri for later shipment to facilities both in-state and out-of-state. The wholesaler does not know at the time of purchase exactly when and where the brochures will be shipped. On average the brochures are stored for six (6) months. As brochures are needed for in-state and out-of-state customers, they are removed from storage and shipped to customers free of charge. Because the wholesaler intended to send some of the brochures out-of-state, the purchase is exempt from use tax. However, the wholesaler should pay state and local use tax on all items used in Missouri at the time the brochures are removed from the warehouse. Local use tax applies based on the location of the warehouse.

(G) Same facts as in Example F except all of the brochures are intended for use in Missouri. The wholesaler should pay tax on the entire purchase price at the time of purchase. Because the intent

was for the brochures to be used in Missouri, any occasional out-of-state use does not qualify for the temporary storage exemption.

(H) Same facts as in Example F except some brochures are purchased from an in-state vendor and sales tax is paid at the time of purchase. The wholesaler commingles the taxed brochures purchased in state with the untaxed brochures purchased from out-of-state. Unless the wholesaler maintains specific documentation of which brochures will be used in-state and out-of-state the use tax is due on the commingling of the brochures.

AUTHORITY: section 144.705, RSMo 1994. Original rule filed June 8, 2000.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to the proposed rule with the Department of Revenue, Office of Legislation and Regulations, P.O. Box 629, Jefferson City, MO 65105. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 13—DEPARTMENT OF SOCIAL SERVICES Division 30—Child Support Enforcement Chapter 3—County Reimbursement

PROPOSED AMENDMENT

13 CSR 30-3.010 Reimbursable Expenditures. The division is amending subsection (5)(D).

PURPOSE: The purpose of this amendment is to raise the initial value of equipment cost from one hundred dollars (\$100) to five hundred dollars (\$500).

(5) Additional Criteria or Prerequisites for Claiming Certain Reimbursable Expenses.

(D) Equipment Purchases. *[Equipment, for the purpose of this rule, is nonexpendable personal property with an initial cost of one hundred dollars (\$100) or more as defined in 15 CSR 40-2.031.] Equipment, for the purpose of this rule, is nonexpendable personal property with an initial cost of five hundred dollars (\$500).* Reimbursement for equipment shall be available only through straight-line depreciation. The depreciation claimed will be based on the Internal Revenue Service's Table of Class Lives and Recovery Periods set forth in Publication 534, *Internal Revenue Service Tax Preparation Guide* including all revisions. To claim depreciation in the purchase of equipment with an initial cost of five hundred dollars (\$500) or more, the county must request and receive (in writing) the director's prior approval for federal financial participation in the cost of equipment. The director will not grant retroactive approval. The county will claim depreciation annually after the first full year of use.

AUTHORITY: section 454.400, RSMo [1986] Supp. 1999. Original rule filed Oct. 18, 1988, effective Jan. 13, 1989. Amended: Filed Nov. 2, 1989, effective Feb. 11, 1990. Amended: Filed May 17, 2000.

PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions less than \$500 in the aggregate.

PRIVATE COST: This proposed amendment is not estimated to cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Division of Child Support Enforcement, Lynn F. Fallen, 3418 Knipp Drive, Suite F, Jefferson City, MO 65109. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 13—DEPARTMENT OF SOCIAL SERVICES Division 30—Child Support Enforcement Chapter 5—Determining Child Support Obligation

PROPOSED RESCISSION

13 CSR 30-5.010 Child Support Obligation Guidelines. This rule specified guidelines for the division's use in determining child support.

PURPOSE: This rule is being proposed for rescission because it no longer accurately reflects current procedures to be followed by the Division of Child Support Enforcement to determine the current amount of support due when establishing or modifying child support obligations.

AUTHORITY: section 454.400, RSMo 1994. Original rule filed Feb. 2, 1988, effective April 11, 1988. Emergency amendment filed Dec. 13, 1989, effective Dec. 23, 1989, expired April 11, 1990. Emergency amendment filed Jan. 17, 1990, effective Jan. 27, 1990, expired Feb. 25, 1990. Amended: Filed Dec. 13, 1989, effective April 26, 1990. Emergency rescission and emergency rule filed March 14, 1994, effective April 1, 1994, expired July 29, 1994. Emergency rescission and emergency rule filed July 27, 1994, effective Aug. 6, 1994, expired Dec. 3, 1994. Rescinded and readopted: Filed March 14, 1994, effective Oct. 30, 1994. Amended: Filed June 15, 1995, effective Dec. 30, 1995. Rescinded: Filed June 22, 2000.

PUBLIC COST: This proposed rescission will cost state agencies or political subdivisions less than \$500 in the aggregate.

PRIVATE COST: This proposed rescission is not estimated to cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Division of Child Support Enforcement, Lynn F. Fallen, 3418 Knipp Drive, Suite F, Jefferson City, MO 65109. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 13—DEPARTMENT OF SOCIAL SERVICES Division 30—Child Support Enforcement Chapter 5—Determining Child Support Obligations

PROPOSED RULE

13 CSR 30-5.010 Child Support Obligation Guidelines

PURPOSE: This rule sets forth the guidelines to be followed by the Division of Child Support Enforcement to determine the current amount of support due when establishing or modifying child support obligations.

(1) General Provisions.

(A) Definitions—as used in this rule:

1. Director means the director of the Division of Child Support Enforcement or his/her designee.

2. Division means the Division of Child Support Enforcement.

3. Form 14 means Missouri Supreme Court Civil Procedure Rule Form 14 and accompanying Schedule of Basic Child Support Obligations.

(B) The division shall follow, as its Child Support Obligation Guidelines, Missouri Supreme Court Civil Procedure Rule 88.01 and Missouri Supreme Court Rule Civil Procedure Form 14 and the accompanying Schedule of Basic Child Support Obligations.

(2) Specific Provisions and Deviation Criteria.

(A) Determining and Imputing Income.

1. The Division will generally include overtime, secondary employment, and bonus income when determining gross income.

2. Past earnings information may be used to impute income. Information on previous earnings may be obtained from the following sources, including, but not limited to, Division of Employment Security computer screens, Internal Revenue Service, past employers, tax returns, and wage stubs.

3. When income information is not available, and information regarding the parent's normal occupation or educational level is known, or special skills which qualify him/her to maintain specific jobs, income may be imputed based on probable earnings levels for his/her usual occupation, qualifications, and prevailing job opportunities and wages in the parent's community. This information may be obtained from sources including, but not limited to, the Department of Labor and Industrial Relations, local unions, or employers in the area.

4. Income may be imputed to a parent who is unemployed or under employed based on the determination of the parent's potential to earn income. A parent whose actual income cannot be determined or who has no income will be imputed income as follows:

A. A parent who is not currently employed but has a work history, and is now disabled and unable to work, or has a child at home whose condition or circumstance requires a parent's presence in the home, will be imputed zero income.

B. A parent who has no work history and has a child in the home under the age of six years will be imputed zero income.

C. A parent who has no work history and has a child at home between the ages of six and twelve years, will be imputed part time (20 hours per week) at federal minimum wage.

D. A parent with no work history, and no children under age 13, full-time (40 hours per week) at federal minimum wage will be imputed.

(B) A support order for a non-parent caretaker relative, or a foster care case, will be completed using separate Form 14s for each parent's case, listing on one Form 14 the mother as the parent paying support and on the second Form 14, the father as the parent paying support.

(C) A presumed child support amount equal to zero or less than zero will be entered as an obligation of zero.

(D) The parents must provide information (court orders, pay records, previous Form 14s, check stubs, etc.) regarding other child support obligations, spousal obligations, insurance, and child care, for credit on the Form 14.

(E) Neither parent will be considered the moving party if the division or a non-parent caretaker relative initiates the modification. Both parents will be given credit for any other court or administrative order of child or spousal support which he/she is paying or for other natural or adopted children not subject to this proceeding.

(F) To include extraordinary medical or child-rearing costs, it must be ordered by the court or an agreement in writing of the amount of any extraordinary medical or child rearing costs to be included on the Form 14 must be signed by both parents and provided to the division.

(G) Adjustment for periods of overnight visitation will be given up to the amount of visitation that has been court-ordered. If the non-custodial parent visits the child less than the amount granted in the court order, he/she will only receive credit for the overnight visits actually exercised. The parents must provide evidence concerning the amount of time actually exercised in court-ordered visitations.

1. Number of overnight periods—Less than 36/Adjustment 0%

2. Number of overnight periods—36–72/Adjustment 6%

3. Number of overnight periods—73–91/Adjustment 9%

4. Number of overnight periods—91–145/Adjustment 10%

(H) Deviation. If it is determined the presumed child support amount is unjust and inappropriate, the division may deviate based on the criteria in the directions for completion for the Form 14 or for one of the following reasons:

1. A parent is under a Chapter 13 Bankruptcy plan.

2. The Division of Family Services determines that in a foster care case the child support amount is not in the best interest of the child. The Division of Family Services staff must provide the reason in writing.

3. The parent claims an inability to pay the presumed child support amount to the division because the parent's reasonable shelter expenses total 60% or more of the parent's gross monthly income and no other person resides with and assists in these expenses, or the parent claims the child support amount is too low and the parent's share of the total child support and his/her reasonable living expenses equals 60% or more of his/her gross income.

4. The division may deviate to adjust the presumed child support amount up to 25% if any of the above factors exist.

5. If the amount of overnight visitation exceeds 146 nights, the division may determine the children are spending substantially equal time with both parents, which may require a deviation from the presumed child support amount.

6. If the total amount of children on the order exceeds six, the division will add to the amount determined by the guidelines for six children, the difference between the amount for five children and six children and add that amount for each additional child.

AUTHORITY: section 454.400, RSMo Supp. 1999. Original rule filed Feb. 2, 1988, effective April 11, 1988. For intervening history, please consult the Code of State Regulations. Rescinded and readopted: Filed May 17, 2000.

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions less than \$500 in the aggregate.

PRIVATE COST: This proposed rule is not estimated to cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Division of Child Support Enforcement, Lynn F. Fallen, 3418 Knipp Drive, Suite F, Jefferson City, MO 65109. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 10—The Public School Retirement System of Missouri
Chapter 6—The Nonteacher School Employee Retirement System of Missouri

PROPOSED AMENDMENT

16 CSR 10-6.040 Membership Service Credit. The board is adding section (7).

PURPOSE: This amendment provides for a method by which age is calculated to determine eligibility for retirement.

(7) For the purpose of determining eligibility for retirement as a result of the sum of a member's age and years of creditable service equaling eighty (80) years or more, the member's age shall be determined by adding the member's age on the date of his or her most recent birthday and the partial year following the member's most recent birthday. Such partial year shall be determined by converting days following the member's most recent birthday into tenths of a year according to the following schedule:

At least 37 days and less than 73 days: one-tenth of a year
At least 73 days and less than 110 days: two-tenths of a year
At least 110 days and less than 146 days: three-tenths of a year
At least 146 days and less than 183 days: four-tenths of a year
At least 183 days and less than 219 days: five-tenths of a year
At least 219 days and less than 256 days: six-tenths of a year
At least 256 days and less than 292 days: seven-tenths of a year
At least 292 days and less than 329 days: eight-tenths of a year
At least 329 days and less than 365 days: nine-tenths of a year

AUTHORITY: section 169.610, RSMo 1994. Original rule filed Dec. 19, 1975, effective Jan. 1, 1976. For intervening history, please consult the *Code of State Regulations*. Amended: Filed June 15, 2000.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Public School and Non-Teacher School Employee Retirement Systems of Missouri, Joel Walters, Executive Director, P.O. Box 268, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 19—DEPARTMENT OF HEALTH
Division 20—Division of Environmental Health and
Communicable Disease Prevention
Chapter 20—Communicable Diseases**

PROPOSED AMENDMENT

19 CSR 20-20.100 Tuberculosis Testing for Residents and Workers in Long-Term Care Facilities and State Correctional Centers. The department is deleting section (6).

PURPOSE: This rule continues the established tuberculosis testing requirements for residents and workers in long-term care facilities and state correctional centers. The amendment deletes the requirement that this rule expires on June 30, 2000.

[(6) This rule will expire June 30, 2000.]

AUTHORITY: section 199.350, RSMo 1994. Original rule filed April 17, 1995, effective Nov. 30, 1995. Emergency amendment filed June 14, 2000, effective June 24, 2000, expires Feb. 22, 2001. Amended: Filed June 14, 2000.

PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions \$1,202,606 annually in the aggregate.

PRIVATE COST: This proposed amendment will cost private entities \$1,077,852 annually in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Pamela Rice-Walker, Division Director, Division of Environmental Health and Communicable Disease Prevention, 930 Wildwood Drive, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC ENTITY COST**

I. RULE NUMBER

Title: 19 – Department of Health

Division: 20 – Division of Environmental Health and Communicable Disease Prevention

Chapter: 20 – Communicable Diseases

Type of Rule Making: Proposed Amendment

Rule Number and Name: 19 CSR 20-20.100 Tuberculosis Testing for Residents and Workers in Long-Term Care Facilities and State Correctional Centers

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
MO Department of Health	\$0 annual cost
MO Department of Social Services	\$502,756 annual cost
MO Department of Corrections	\$699,850 annual cost

III. WORKSHEET

MO Department of Health

The Department of Health is not required to provide any tuberculin skin testing supplies or staff time to conduct the tests under the proposed rule.

MO Department of Social Services

1. The standard Medicaid reimbursement rates for tuberculin skin tests (\$8.00), highly complex office visit (\$31.50), and two view chest x-ray and interpretation (\$16.50) were used to estimate the long-term care portion of the rule paid through Medicaid.
2. In 1998, an estimated 27,914 residents in skilled nursing and intermediate care facilities were Medicaid clients.

MO Department of Corrections

1. The Department of Corrections uses a rate of \$10 per tuberculin skin test. The fiscal estimate also used standard Medicaid reimbursement rates for the physician office visit and chest x-ray and interpretation to estimate the fiscal impact of the rule.
2. Approximately 55,000 tuberculin skin tests were conducted on inmates in 1999.
3. There were 11,489 staff that received tuberculin skin tests in 1999.

IV. ASSUMPTIONS

1. There will be 90% of the long-term care residents that have an initial skin test reading < 10 mm and will require a second test.

2. There will be 90% of the long-term care residents that have a skin test reading < 10 mm on the second test and require no further evaluation.
3. There will be 10% of the long-term care residents that have a skin test reading ≥ 10 mm on the second test and require a chest x-ray and medical evaluation.
4. Each year 1-2% of all inmates in the Department of Corrections will have a positive skin test for the first time.
5. Approximately 10% of employees new to the Department of Corrections will have a positive skin test each year. This is based on the fact that it is estimated that about 10% of the adult population in the U.S. have tuberculosis infection.
6. Department of Corrections pays all costs for staff and inmates.
7. There is an annual 5% inflation increase projected for the life of the rule.
8. For a detailed breakdown of estimates, contact the Missouri Department of Health, Section of Vaccine-Preventable and Tuberculosis Disease Elimination.

**FISCAL NOTE
PRIVATE ENTITY COST**

I. RULE NUMBER

Title: 19 – Department of Health

Division: 20 – Division of Environmental Health and Communicable Disease Prevention

Chapter: 20 – Communicable Diseases

Type of Rule Making: Proposed Amendment

Rule Number and Name: 19 CSR 20-20.100 Tuberculosis Testing for Residents and Workers in Long-Term Care Facilities and State Correctional Centers.

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimate n the aggregate as to the cost of compliance with the rule by the affected entities.
476	Skilled Nursing Facility	\$782,481 annual costs
71	Intermediate Care Facility	\$101,187 annual costs
365	Residential Care Facility II	\$140,882 annual costs
310	Residential Care Facility I	\$53,302 annual costs

III. WORKSHEET

1. A cost of .498 cents per tuberculin skin test for supplies and \$20 per hour for a registered nurse was used to estimate the fiscal cost of the rule that applies to long-term care staff and residents that receive the tuberculin skin test at the facility. The standard Medicaid reimbursement rates for a high complex office visit (\$31.50) and two view chest x-ray and interpretation and two view chest x-ray and interpretation (\$16.50) were used to estimate the cost of evaluating persons identified with a positive skin test through testing done at the long-term care facility.
2. The standard Medicaid reimbursement rates for tuberculin skin tests (\$8.00), highly complex office visit (\$31.50), and two view chest x-ray and interpretation (\$16.50) were used to estimate the fiscal cost of the rule that applies to long-term care staff and residents that receive the tuberculin skin test at a facility other than the long-term care facility.

Skilled Nursing Facility

It is estimated that a total of 27,900 current staff, 18,135 new staff, and 26,507 non-Medicaid residents received tuberculin skin tests in 1998.

Intermediate Care Facility

It is estimated that a total of 7,380 current staff, 4,797 new staff, and 1,441 non-Medicaid residents received tuberculin skin tests in 1998.

Residential Care Facility II

It is estimated that a total of 2,520 current staff, 1,820 new staff, and 5,980 non-Medicaid residents received tuberculin skin tests in 1998.

Residential Care Facility I

It is estimated that a total of 1,350 current staff, 878 new staff, and 2,136 non-Medicaid residents received tuberculin skin tests in 1998.

IV. ASSUMPTIONS

1. The tuberculin skin tests for most staff will be conducted at the long-term care facility.
2. The tuberculin skin tests for residents will be conducted at a facility other than the long-term care facility.
3. There will be 10% of current staff that already have a positive skin test.
4. There will be 10% of new staff and new residents that have an initial skin test reading <10 mm and will require a second test. This is based on the fact that an estimated 10% of the U.S. adult population already has tuberculosis infection.
5. There will be 90% of new staff and new residents that have a second skin test reading <10 mm and require no further evaluation.
6. There will be 10% of new staff and new residents that have a skin test reading ≥ 10 mm on the second test and require a chest x-ray and medical evaluation.
7. There is an annual 5% inflation increase projected for the life of the rule.
8. For a detailed breakdown of estimates, contact the Missouri Department of Health, Section of Vaccine-Preventable and Tuberculosis Disease Elimination.

**Title 19—DEPARTMENT OF HEALTH
Division 20—Division of Environmental Health and
Communicable Disease Prevention
Chapter 28—Immunization**

PROPOSED AMENDMENT

19 CSR 20-28.040 Day Care Immunization Rule. The department is amending sections (2) and (3), deleting sections (5) and (6) and deleting the forms following section (5) in the *Code of State Regulations*.

PURPOSE: This proposed amendment deletes language that is repetitive and that dictates medical practice. The proposed amendment also deletes the requirement that this rule expires on June 30, 2000.

PURPOSE: This rule establishes immunization requirements [according to the Recommended Childhood Immunization Schedule—United States, January 1995, as approved by] in accordance with recommendations of the Advisory Committee on Immunization Practices (ACIP)[, the American Academy of Pediatrics and the American Academy of Family Physicians,] for all children attending public, private or parochial day care, preschool or nursery schools caring for ten or more children, and describes actions to be taken to ensure compliance with section 210.003, RSMo.

(2) No child shall enroll in or attend a public, private or parochial day care center, preschool or nursery school caring for ten (10) or more children unless the child has been adequately immunized according to this rule. *[The immunization schedules in Tables 1–4, section (5) of this rule represent the standard by which the immunization status of children in day care shall be measured.]* Children attending elementary school who receive before, after school care, or both, shall meet the immunization requirements established in the School Immunization Rule, 19 CSR 20-28.010. Preschool-age children shall *[meet the following immunization requirements:]*

[(A) Diphtheria, Tetanus, Pertussis, Polio, and Hepatitis B—Immunization] be immunized against diphtheria, tetanus, pertussis, polio, *[and] hepatitis B, Haemophilus influenzae type b, measles, mumps and rubella [shall be required for all children]* according to *[the schedule which appears in Tables 1–4, section (5) of this rule. The total number of doses required will vary depending on the child's age. Exemptions shall be permitted upon receipt of written notification of exemption on Parent/Guardian Immunization Exemption Form (Imm.P. 11) or Medical Immunization Exemption Form (Imm.P. 12);] the latest Recommended Childhood Immunization Schedule—United States, approved by the Advisory Committee on Immunization Practices (ACIP). As the schedule is updated, it will be available from and distributed by the Department of Health.*

[(B) Haemophilus influenzae type b. Immunization against Haemophilus influenzae type b shall be required of all children less than five (5) years of age according to the schedule which appears in Tables 1–4, section (5) of this rule. The last dose of Hib vaccine must have been received at age twelve (12) months or greater. Exemptions will be permitted upon receipt of written notification of exemption on Parent/Guardian Immunization Exemption Form (Imm.P. 11) or Medical Immunization Exemption Form (Imm.P. 12); and

(C) Measles, Mumps, Rubella—Immunization against measles, mumps and rubella shall be required of all children according to the schedule which appears in Tables 1–4, section (5) of this rule. Exemptions shall be permitted

upon receipt of written notification of exemption on Parent/Guardian Immunization Exemption Form (Imm.P. 11) or Medical Immunization Exemption Form (Imm.P. 12).]

(3) Section 210.003, RSMo provides that a child who has not completed all appropriate immunizations may enroll if—

(A) Satisfactory evidence/s/ is produced that the child has begun the process of immunization. The child may continue to attend as long as the immunization process is being accomplished according to the **ACIP/Department of Health recommended schedule [which appears in Tables 1–4, section (5) of this rule. A Department of Health Immunizations in Progress Form (Imm.P. 14) must be on file with the immunization record of each child who is in the process of completing the required immunizations].** Failure to meet the next scheduled appointment constitutes noncompliance with the day care immunization law and action shall be initiated immediately by the administrator to have the child excluded from the facility *[; or].*

[(5) The following schedules shall determine if a child is adequately immunized or when the next dose of vaccine is due for a child found to be in noncompliance with the immunization requirements:]

[(Missouri Immunization Schedules as printed in section (5)]

[(6) This rule expires June 30, 2000.]

AUTHORITY: sections **192.006, RSMo Supp. 1999** and 210.003, RSMo 1994. Emergency rule filed Aug. 1, 1995, effective Aug. 11, 1995, expired Dec. 8, 1995. Original rule filed April 17, 1995, effective Nov. 30, 1995. Emergency amendment filed June 14, 2000, effective June 24, 2000, expires Feb. 22, 2001. Amended: Filed June 14, 2000.

PUBLIC COST: This proposed amendment is estimated to cost the Department of Health \$41,657 total aggregate costs annually. A fiscal note containing a detailed estimated cost of compliance has been filed with the secretary of state.

PRIVATE COST: This proposed amendment is estimated to cost child care facilities \$399,100 total aggregate costs annually. A fiscal note containing a detailed estimated cost of compliance has been filed with the secretary of state.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Pamela Rice Walker, Director, Division of Environmental Health and Communicable Disease Prevention, P.O. Box 570, Jefferson City, MO 65102, phone (573) 751-6080. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

FISCAL NOTE PUBLIC ENTITY COST

I. RULE NUMBER

Title: 19 -- Department of Health

Division: 20 -- Division of Environmental Health and Communicable Disease Prevention

Chapter: 28 - Immunization

Type of Rule Making: Proposed Amendment

Rule Number and Name: 19 CSR 20-28.040 Day Care Immunization Rule

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Missouri Department of Health	\$41,657 annually

III. WORKSHEET

The estimate in the aggregate was calculated as follows:

Salaries

5% of salaries for nine District Health Program Representatives	\$16,200	
25% of salary for one Health Program Representative	\$ 8,577	
25% of salary for one Clerk Typist	\$ 4,356	
TOTAL SALARIES	\$29,133	
FRINGE BENEFIT @ 27%	\$ 7,866	
TOTAL		\$36,999

Office Expenses

Printing costs for survey packet	\$ 4,658	
TOTAL ANNUAL COSTS		\$41,657

IV. ASSUMPTIONS

As a result of the deletion of the requirement that this rule expires on June, 30, 2000, costs to the Department of Health to perform duties addressing immunization issues pertaining to this Rule will be ongoing. One Health Program Representative will function as coordinator for the program. The Clerk Typist will provide clerical assistance, including data entry. Nine District Health Program Representatives will conduct validation surveys in a small number of facilities on a biennial basis. Each of these staff will provide technical assistance to day care staff and health care providers, addressing the immunization schedule and requirements for attendance.

For the purposes of this fiscal note, costs were calculated based upon the amount of time staff would dedicate to day care activities: 25% of salaries for one Health Program Representative and one Clerk Typist, and 5% of salaries for nine District Health Program Representatives.

Printing costs for materials was included at the rate of \$4,658. The total annual cost to the Department of Health is \$41,657.

**FISCAL NOTE
PRIVATE ENTITY COST****I. RULE NUMBER**

Title: 19 -- Department of Health

Division: 20 -- Division of Environmental Health and Communicable Disease Prevention

Chapter: 28 -- Immunization

Type of Rule Making: Proposed Amendment

Rule Number and Name: 19 CSR 20-28.040 Day Care Immunization Rule

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities.
6,000	Day Care Facilities	\$399,100 annually

III. WORKSHEET

The estimate in the aggregate was calculated as follows:

Day care staff time involved in the review of children's immunization records was estimated to be approximately 30 minutes per child. An additional 4 hours was estimated to be required to complete the annual survey form at each facility. The staff salary was estimated at an average of \$5.15 per hour.

IV. ASSUMPTIONS

As a result of the deletion of the requirement that this rule expires on June 30, 1000, costs to day care facilities for immunization activities will be ongoing. For the purposes of this fiscal note, the following costs to day care facilities were calculated:

Approximately 100,000 children attend day care in the 6,000 facilities in the state. It is estimated that approximately 30 minutes of staff time is required to review each of the children's records. At the estimated average salary of \$5.15 per hour, the cost to facilities is \$275,500.

In addition, an estimate of 4 hours of staff time is required to complete the immunization survey form. Using the average salary of \$5.15 per hour, the cost to facilities is \$123,600.

The total annual cost to day care facilities is approximately \$399,100.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 24—Psychiatric Hospitals**

PROPOSED AMENDMENT

19 CSR 30-24.020 Administration Standards for Psychiatric Hospitals. The department is amending paragraphs (1)(C)3. and (1)(C)5.

PURPOSE: The Department of Health is establishing a new definition of medical staff to include dentists and psychologists.

(1) Organization, Administration, Medical Staff, Nursing and Services Provided.

(C) Medical Staff.

1. The governing body shall provide in its bylaws for the appointment of an adequate and competent medical staff to provide the necessary psychiatric and medical care and supervision as required by the program.

2. The medical staff of a psychiatric hospital shall be an organized group which shall initiate and adopt, with approval of the governing body, bylaws, rules and policies governing their professional activities in the hospital.

3. *[Physicians]* **Medical staff** will be permitted to practice in the hospital in accordance with their competence as recommended by the professional staff and authorized by the governing body.

4. The responsibility for the treatment and care of patients shall rest with the attending physician, who is accountable to the governing body.

5. *[Each member of the medical staff shall be a physician who is a graduate of an approved school of medicine or osteopathy legally licensed accordingly to practice in Missouri and who is competent in his/her respective field and is professionally ethical. Staff appointments shall be according to the approved bylaws.]* **Medical staff membership shall be limited to physicians, dentists, psychologists and podiatrists. They shall be currently licensed to practice their respective professions in Missouri. The bylaws of the governing body and medical staff shall include the procedure to be used in processing applications for medical staff membership; approving or disapproving appointments; and determining the privileges available to physicians, dentists, psychologists and podiatrists.**

6. Each member of the medical staff shall submit a written application for staff membership on the approved form to the governing body.

7. The governing body, after considering recommendations of the medical staff, shall determine the privileges extended to each member of the staff according to his/her qualifications and standards of performance.

8. The medical staff shall elect a president (chief) of staff, acceptable to the governing body and such other officers and committees as is deemed necessary to meet the goals of the hospital. The president (chief) of staff shall have training and experience in psychiatry and preferably be a diplomate of the American Board of Psychiatry, in psychiatry.

9. The medical staff shall meet regularly and complete minutes are to be kept of these meetings.

10. The staff shall adopt policies for professional consultation in writing.

11. The medical staff shall develop and utilize appropriate procedures for continuing review and evaluation of the practice of medicine in the hospital by its individual members. Complete records shall be kept of these reviews and evaluations.

12. The medical staff shall maintain complete and adequate records on each patient.

13. The medical staff shall comply with acceptable professional ethical standards with regard to advertising, commissions, division of fees, secret remedies, extravagant claims, commercialization and in all other respects.

14. The medical staff shall establish policies for the recommendation of discharge of a member by the governing body.

15. There shall be a consulting medical staff, consisting of medical practitioners of recognized professional ability, who have accepted appointment to the consulting staff.

AUTHORITY section 197.080, RSMo [Supp. 1993] Supp. 1999. This rule was previously filed as 13 CSR 50-24.020 and also 19 CSR 10-24.020. Original rule filed Jan. 31, 1974, effective March 1, 1974. Amended: Filed June 14, 1988, effective Oct. 13, 1988. Amended: Filed June 14, 2000.

PUBLIC COST: This proposed amendment cost is less than \$500 in the aggregate to this agency, any other agency of state government or any political subdivision thereof.

PRIVATE COST: This proposed amendment cost is less than \$500 in the aggregate to private entities.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or opposition to this proposed amendment with Lois Kollmeyer, Director, Division of Health Standards and Licensure, Department of Health, P.O. Box 570, Jefferson City, MO 65102, 573 751-6303. To be considered, comments shall be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 19—DEPARTMENT OF HEALTH
Division 70—Division of Chronic Disease Prevention
and Health Promotion
Chapter 21—Cancer**

PROPOSED RESCISSION

19 CSR 70-21.010 Reporting of Cancer Cases. This rule had established a method of mandatory reporting of all cancer cases by hospitals in Missouri as required by sections 192.650–192.657, RSMo 1986.

PURPOSE: This rule is being rescinded because the cancer reporting legislation was expanded to include reporting by outpatient hospital settings, pathology laboratories, physician offices, ambulatory surgical centers, residential care facilities I or II, intermediate care facilities or skilled nursing facilities and free-standing cancer clinics and treatment centers.

AUTHORITY: sections 192.650–192.657, RSMo 1986. This rule was previously filed as 13 CSR 50-115.010 and 19 CSR 20-21.010. Original rule filed May 11, 1984, effective Aug. 11, 1984. Amended: Filed June 19, 1987, effective Sept. 11, 1987. Rescinded: Filed June 14, 2000.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with Bernard Malone, Division Director, Missouri Department of

Health, Division of Chronic Disease Prevention and Health Promotion 920 Wildwood, Jefferson City, MO 65109, phone (573) 522-2801, FAX (573) 522-2898, E-mail address mal-onb@mail.health.state.mo.us. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 19—DEPARTMENT OF HEALTH
Division 70—Division of Chronic Disease Prevention
and Health Promotion
Chapter 21—Cancer**

PROPOSED RULE

19 CSR 70-21.010 Reporting of Cancer Cases

PURPOSE: This rule establishes a method of mandatory reporting of all cancer cases of inpatients and outpatients in order to conduct cancer incidence surveillance and epidemiologic studies and to facilitate development, implementation and evaluation of cancer prevention and control measures in Missouri as required by sections 192.650, 196.653, 192.655 and 192.657, RSMo Supp. 1999.

PUBLISHER'S NOTE: The publication of the full text of the material that the adopting agency has incorporated by reference in this rule would be unduly cumbersome or expensive. Therefore, the full text of that material will be made available to any interested person at both the Office of the Secretary of State and the office of the adopting agency, pursuant to section 536.031.4, RSMo. Such material will be provided at the cost established by state law.

(1) The following are definitions of terminology used throughout this rule.

(A) Cancer—those malignant neoplasms included in the list of cancers with a fifth digit of two or three listed under the heading, "Morphology of Neoplasms," contained in the current editions of "International Classification of Diseases" (ICD) or "International Classification of Diseases for Oncology" (ICD-O) published by the World Health Organization.

(B) Department—the Missouri Department of Health.

(C) Non-melanomatous skin cancers—cutaneous, malignant basal and squamous cell neoplasms as defined in the current edition of the *Missouri Cancer Registry Abstract Code Manual*, which is incorporated by reference in this rule.

(D) State registry—a centralized cancer reporting system maintained by the Missouri Department of Health for the collection, storage, analysis and interpretation of data on cancer patients.

(E) Reporting entity—hospital, pathology laboratory, ambulatory surgical center, free-standing cancer clinic and treatment center, physician office, skilled nursing facility, intermediate care facility or residential care facility I or II.

(F) Case—A primary incidence of cancer. A patient may have more than one primary incidence of cancer.

(2) The administrator or designated representative of a reporting entity shall report every case of cancer—with the exception of non-melanomatous skin cancers—to the director of the department or to the director's designated representative. Hospitals that electronically report shall use the North American Association of Central Cancer Registries (NAACCR) layout and shall use information provided by the physician to complete the report. Hospitals with more than 75 cases of cancer annually who do not electronically report shall use the paper report format "Cancer Registry Initial Abstract" provided by the state registry and shall use information provided by the physician to complete the report. Hospitals with less than 75 cases of cancer annually who do not electronically report shall use the paper report format "Missouri Cancer Registry

Initial Abstract" provided by the state registry completed using information provided by the physician or submit copies of medical record documentation sufficient for abstraction of required cancer incidence data. All non-hospital reporting entities shall report all required data items using the paper form supplied by the state registry or in an electronic format designated by the state registry.

(A) Reports shall be made by the administrator or designated representative of the reporting entity within six months after the diagnosis or within six months after the date of first contact for this primary incidence of cancer at the reporting entity. Coding will be completed as described in the current edition of the *Missouri Cancer Registry Abstract Code Manual*.

(3) All patients seen, diagnosed or treated for cancer for the first time by a physician or other health care provider on an inpatient or outpatient basis are to be reported. Subsequent reports on such patients are not required unless a new primary incidence of cancer is diagnosed.

(A) Physician offices are exempt from reporting cases that are directly referred to or previously have been admitted to any other facility that is required to report as described in subsection (1)(E) above (i.e., hospital, pathology laboratory, ambulatory surgical center, free-standing cancer clinic and treatment center, physician office, skilled nursing facility, intermediate care facility or residential care facility I or II). Physicians may be contacted by the state registry if additional information regarding a directly referred or previously admitted case is considered necessary for abstraction of required cancer incidence data.

(4) The minimum data reported on each case shall include those data elements required by the Centers for Disease Control and Prevention (CDC) National Program of Cancer Registries (NPCR) and years of tobacco use. The department recommends reporting all data elements required and/or recommended by the American College of Surgeons (ACoS), not already included in the NPCR requirements and toxic exposure, the Missouri-specific optional data element.

(5) The department may provide training or written instructions for individuals designated by a reporting entity's administrator or designated representative to facilitate submission of required information.

(6) A reporting entity is considered compliant if it meets the requirements of sections 192.650 and 192.653, RSMo. A non-compliant reporting entity will be notified in writing as to their non-compliant status within 30 days following the end of the six-month period and will be given an opportunity to take corrective action within 60 days from the date of the notification letter. If the reporting entity does not comply within 60 days, a second notification letter will be sent directing the reporting entity to comply within 30 days.

(7) A researcher requesting data must provide the department with a current curriculum vitae and publication list, indicate in precise detail the data which are desired, provide a copy of the research protocol describing the purpose(s) for which the data are to be used and a copy of their Institutional Review Board (IRB) approval.

(A) In the event the data requested include the identity of any patient, physician, health care provider or reporting entity and provided that the department has determined that identifying data are necessary for the research, has approved it through the department's IRB and has determined that the research is worthwhile, the researcher must agree in writing to protect the confidentiality of the data and to use such data only for purposes stated in the written agreement and not for any secondary purpose. Identifying data will be released only after consent for this purpose has been

obtained from the patient, physician, health care provider or reporting entity—whichever is appropriate—as authorized in section 192.655, RSMo and may not be made available to any other individual, agency, institution, or firm.

(B) No follow-back of any type shall be made to any individual, institution or agency without written authorization by the department. Any data released by a researcher shall be restricted to aggregate data and shall not identify any individual or institution. The department shall be given credit as the source of the data. A copy of the results of the research shall be furnished to the department.

(C) If electronic media are provided, such media, after serving the purpose set forth in this subsection, shall be erased unless specific authority is required and granted for their retention and future use.

(D) The researcher will be billed prior to delivery of the data for a reasonable fee to cover actual costs to the department for retrieving and preparing the requested data, together with costs of postage and handling fees.

(8) The data provided by each reporting entity and single copies of analyses based upon data from that entity will be provided to hospitals in the form of management reports and routine periodic quality control reports at no cost to the hospital for purposes of advancement of research, education and treatment. Management reports and routine periodic quality control reports will be made available upon written request to other reporting entities at no cost.

(A) Single copies of reports summarizing the data from all reporting entities will be provided upon written request to each reporting entity at no cost. Multiple copies will be made available upon receipt of a fee sufficient to cover the cost of reproduction of the document together with postage and handling fees.

(B) Special reports requested by a reporting entity will be made available upon receipt of a fee sufficient to cover the cost of analysis, interpretation, compilation and reproduction of the document together with postage and handling fees.

AUTHORITY: sections 192.006 and 192.650–192.657, RSMo Supp. 1999. This rule was previously filed 13 CSR 50-115.010 and 19 CSR 20-21.010. Original rule filed May 11, 1984, effective Aug. 11, 1984. Amended: Filed June 19, 1987, effective Sept. 11, 1987. Rescinded and readopted: Filed June 14, 2000.

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions \$310,802 annually in the aggregate.

PRIVATE COST: This proposed rule will cost private entities \$735,796 annually in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with Bernard Malone, Division Director, Missouri Department of Health, Division of Chronic Disease Prevention and Health Promotion, 920 Wildwood, Jefferson City, MO 65109, E-mail address malonb@mail.health.state.mo.us. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

FISCAL NOTE PUBLIC ENTITY COST

I. RULE NUMBER

Title 19 – Department of Health

Division 70 – Division of Chronic Disease Prevention and Health Promotion

Chapter 21 – Cancer

Type of Rule Making – Proposed Rule

Rule Number and Name - 19 CSR 70-21.010 Reporting of Cancer Cases

II. SUMMARY OF FISCAL IMPACT

Affected Agency of Political Subdivision	Estimated Cost of Compliance in the Aggregate
Department of Health	Estimated cost in the aggregate of \$282,522 annually
Other State Agencies	Not Applicable
Political Subdivision	Not Applicable
Public Hospitals	Estimated cost in the aggregate of \$28,280 annually

III. WORKSHEET

Department of Health Estimated Cost Of Compliance

Personal Services: This category includes the Department of Health staff who are employed to oversee and maintain the cancer information reporting system. All other personnel who are associated with the cancer information reporting system are included in contractual agreements described in succeeding sections of this fiscal note.

Title	Annual Salary	% Time	Applicable Salary
Division Director	\$76,380	10	\$7,638
Office Chief	50,232	50	25,116
Program Coordinator	52,232	100	52,232
Medical Epidemiologist	84,000	25	21,000
Research Analyst	32,366	25	8,092
Fiscal Officer	33,624	50	16,812
Office Manager	21,768	100	21,768
Casefinding Coordinator	34,992	100	34,992
Health Program Rep.	36,468	75	27,351

Project Specialist (part time)	10,140	100	10,140
Project Specialist (part time)	11,440	50	5,720
Total Personal Service			\$230,861

Personal services costs will be adjusted annually 5% for inflation.

Benefits: Benefits are included only for positions paid from federal sources. These include all positions listed above except the Division Director and Program Coordinator.

$\$230,861 \times 27\% = \$62,332$

Total Benefits = \$62,332

Expense and Equipment: These are itemized according to type as follows.

Travel, In-State:

Total = \$13,332.16

- Quarterly Missouri Cancer Registry Advisory Board meetings (lodging @ \$59 x 18 members = \$1,062; mileage @ .28/mi x 250 miles = \$70.00 x 18 members = \$1,260; travel meals @ \$20/member x 18 = \$360; lunch @ \$8/member x 25 members, guests and staff = \$200; conference room \$150; breaks \$72) Total = \$3,104 x 4 meetings = \$12,416
- Bi-State Tumor Registrars Association (BiSTRA) Quarterly Meetings (meals @ \$7/person x 2 = \$14; mileage @ .28/mi x 246 miles = \$68.88) Total \$82.88 x 4 meetings = \$331.52
- Kansas City Area Tumor Registrars Association (KCATRA) Bi-monthly Meetings (meals @ \$7/person x 2 = \$14; mileage @ .28/mi x 298 miles = \$83.44) Total \$97.44 x 6 meetings = \$584.64

Travel, Out-of-State:

Total = \$17,871.40

For out-of-state travel, all mileage is based on departing from St. Louis airport, mileage @ .28/mi x 246 miles = \$68.88

- North American Association of Central Cancer Registries (NAACCR) Annual Conference and Short Course/Workshop; (registration \$200; airfare \$400; lodging @ \$150 x 7 nights = \$1,050; 3 meals/day @ \$50 x 8 days = \$400; subtotal \$2,050 x 3 staff = \$6,150; taxi \$40; mileage \$68.88; parking \$70) Total = \$6,328.88
- National Cancer Registrars Association (NCRA) Annual Meeting; (registration \$300; airfare \$500; lodging @ \$125 x 7 nights = \$875; 3 meals per day @ \$65 x 8 days = \$520; subtotal \$2,195 x 2 staff = \$4,390; taxi \$30; mileage \$68.88; parking \$70) Total = \$4,558.88

- NAACCR/Centers for Disease Control and Prevention (CDC) Workshops: held in various locations (airfare \$370; lodging @ \$150 x 2 nights = \$300; 3 meals/day @ \$50 x 3 days = \$150; subtotal \$820 x 2 = \$1,640; mileage \$68.88; taxi \$40; parking \$30) Total \$1,778.88/workshop x 2 = \$3,557.76
- Missouri Cancer Registry Information System (MoCRIS) training and consultation University of California at Irvine; (airfare \$326; lodging @ \$112 x 4 nights = \$448; 3 meals/day @ \$50 x 5 days = \$250; subtotal \$1,024 x 3 staff = \$3,072; mileage \$68.88; parking \$60; car rental \$225) Total \$3,425.88 x 1 trip = \$3425.88

Administrative Supplies:

Total = \$7,269

- 23 boxes of green-bar paper @ \$27/box = \$621
- Glossy paper for color printer, 50 sheets/ream @ \$37 x 4 = \$148
- Office supplies for general operations (paper, pens, pencils, copy paper, diskettes, etc.) 12 months x \$400/month = \$4,800
- Journal subscriptions = \$200
- Books (miscellaneous books and software manuals) = \$1,500

Computer Equipment (Hardware):

Total = \$14,519.18

- (2) IBM Thinkpad computers, Intel pentium 266 Mhz Pentium II processor, 5.1 gb hard drive, carrying case. Total \$3,877.59 x 2 = \$7,755.18
- (4) IBM PC 300 PL Pentium II processor \$1,250 x 4 = \$5,000
- (4) IBM Monitors \$286 x 4 = \$1,144
- One Hewlett-Packard Deskjet 340 printer @ \$620

Communication Services and Supplies:

Total = \$24,590

Network allocation 10 x \$2,200 = \$22,000

Microsoft Office Standard license for 2 laptops - \$255 x 2 = \$510

Maintain Alpha 2100 system, 1 hr/week x 52 weeks @ \$40/hr = \$2,080

Business Services:

Total = \$5,000

Printing of Missouri Cancer Registry (MCR) Abstract Code Manual revision, MCR Policies and Procedures Manual, MCR Annual Report on Cancer Incidence and Mortality in Missouri, etc. = \$5,000

Professional Development:

Total = \$2,420

Annual membership dues (NCRA, MoSTRA, BiSTRA, KCATRA, Bootheel; subtotal \$120 x 1 staff = \$120)

Miscellaneous fees for workshops, seminars, etc. for staff training = \$800

Support for BiSTRA, KCATRA, Bootheel, MoSTRA educational workshops and reporting entity training = \$1,500

Total Expense and Equipment = \$85,001.74

Contractual:

- University of California at Irvine – software vendor and technical support for Missouri Cancer Registry Information System (MoCRIS) Total = \$69,654
 - Salaries \$30,365
 - Principal Investigator (2% time)
 - Project Manager (10% time)
 - Programmer/Analyst (30% time)
 - Programmer/Analyst (5% time)
 - Fringe \$7,591
 - 25% of salaries
 - Supplies \$245
 - General office and computer supplies
 - Other \$18,318
 - Communications/network, postage,
 - Photocopy, computer network maintenance,
 - Symcas Service Agreement, Centerpointe
 - Building Lease
 - Indirect Costs \$13,135
 - 26% of total direct cost excluding
 - building lease (lease is \$6,000 annually)
- Professional Services – visual review of cancer abstract edit reports. Total = \$22,500 (15,000 reviews @ \$1.50/review)
- University of Missouri-Columbia – geocoding for cancer incidence cases. Total = \$2,000 (4 processing cycles at \$500/cycle)
- University of Missouri-Columbia – Missouri Cancer Registry operations Total = \$445,500
 - Salaries \$300,000
 - Cancer Data Coordinator (4)
 - Registry Database Manager
 - Quality Assurance Coordinator
 - Computer Information Tech
 - Research Analyst
 - Certified Tumor Registrar
 - Clerk Typist

Fringe	
25% of salaries	\$75,000
Travel	\$8,000
In-state for training	
Out-of-state for NAACCR Conference	
Supplies	\$2,000
General office and computer supplies	
Other	\$20,000
Software and licensing	
Indirect Costs	\$40,500
10% of total direct cost	

There will be a 5% annual increase in the contract.

- St. Louis University School of Public Health – epidemiologic research on cancer including data dissemination and utilization. Total = \$14,703

Salaries	\$10,693
Research Assistant (15 hours/week)	
Biostatistician (5 hours/week)	
Fringe	\$2,673
25% of salaries	
Administrative Fee	\$1,337
10% of salaries and fringe	

Total Contractual = \$554,327

Subtotal for Department of Health Cost of Compliance = \$932,521.74

Funding in the amount of \$650,000 from the Centers for Disease Control for Federal Fiscal Year 1999 and Prevention specifically for the purpose of operating a cancer information reporting system received by the Department through a grant offset the cost of compliance. Therefore, the cost of compliance for the Department is reduced ($\$932,521.74 - \$650,000 = \$282,521.74$ rounded to \$282,522).

Total Department of Health Estimated Annual Cost of Compliance = \$282,522.

Public Hospitals Estimated Cost of Compliance

There are 5 city hospitals, 20 county hospitals, 1 city/county hospital and 5 Veterans Administration/military hospitals in Missouri. Seven (7) of these will report electronically, 5 manually and 20 by medical record documentation. Estimated costs by reporting type are:

- Electronic reporting: 7 hospitals x \$9.95 per reported case x 300 average number of cases reported annually = \$20,895. This is based on an average of actual number of cases for these 7 hospitals.
- Manual reporting: 5 hospitals x \$11.35 per reported case x 100 average number of cases reported annually = \$5,675. This is based on an average of actual number of cases for these 5 hospitals slightly inflated due to 1 hospital having 300 cases per year.
- Medical record documentation: 19 hospitals x \$6.00 per reported case x 15 average number of cases reported annually = \$1,710. This is based on an average of actual number of cases for these 19 hospitals.

Total Public Hospitals Estimated Annual Cost of Compliance = \$28,280

IV. ASSUMPTIONS

Department of Health Estimated Cost of Compliance

Department of Health (DOH) costs are based upon:

1. actual salaries of staff who support the Missouri Cancer Registry (MCR);
2. benefits for those positions paid from state and/or federal sources (9 positions);
3. itemized expenses from the MCR operating budget including in-state and out-of-state travel, administrative supplies, computer equipment, communication services and supplies, business services, professional development; and
4. actual contractual costs.

The detailed calculations are included in the worksheet section. Costs will be adjusted 5% annually for inflation.

Public Hospitals Estimated Cost of Compliance Assumptions

Public hospitals are required to report. Three means of reporting will be used based upon size of the facility and number of primary cases of cancer it is expected they will report. These three means of reporting are:

1. Electronic reporting – This includes using the North American Association of Central Cancer Registries (NAACCR) layout completed based upon information provided by the physician.
2. Manual reporting – This involves completing the paper report format “Cancer Registry Initial Abstract.” This will generally be completed by hospitals having more than 75 cases of cancer annually who do not electronically report.
3. Medical record documentation reporting – This involves submitting copies of the medical record documentation sufficient for abstraction of required cancer incidence data. This will generally be completed by hospitals having less than 75 cases of cancer annually who do not electronically report.

Assumptions regarding costs for electronic reporting:

1. Estimated costs are based upon data submitted to the Missouri Cancer Registry from hospitals who report in this manner as their in-kind contribution to comply with reporting requirements.
2. An average cost has been calculated for reporting based upon data from 14 hospitals that report electronically. This is calculated at an average of \$9.95 per report. This is based upon the amount of in-kind contribution in order to comply with reporting requirements as stated in a letter to the Missouri Cancer Registry from the reporting hospital divided by the total number of cancer cases reported by that hospital. An average of all hospitals was then calculated.

Assumptions regarding costs for manual reporting:

1. Estimated costs are based upon an average hourly salary for medical records personnel of \$11/hour.
2. Estimated time to complete the case including casefinding, abstraction and submission is 1 hour.
3. Estimated postage per case is \$.33.
4. Estimated per case cost is \$11.33 rounded to \$11.35 per case.

Assumptions regarding costs for medical record documentation reporting:

1. Estimated costs are based upon an average hourly salary for medical records personnel of \$11/hour.
2. Estimated time to complete the case including casefinding, identifying portions of medical record to be copied, copying and submitting is .5 hour.
3. Estimated cost for copying including the paper is \$.15 plus \$.33 for postage.

4. Estimated per case cost is \$5.98 rounded to \$6 per case.

Costs for reporting will be adjusted 5% annually for inflation.

FISCAL NOTE PRIVATE ENTITY COST

I. RULE NUMBER

Title 19 – Department of Health

Division 70 – Division of Chronic Disease Prevention and Health Promotion

Chapter 21 – Cancer

Type of Rule Making – Proposed Rule

Rule Number and Name - 19 CSR 70-21.010 Reporting of Cancer Cases

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities.
53	Electronically reporting hospitals	Estimated cost in the aggregate of \$237,308 annually
4	Manual reporting hospitals	Estimated cost in the aggregate of \$3,859 annually
52	Medical record documentation reporting hospitals	Estimated cost in the aggregate of \$4,368 annually
121	Pathology laboratories	Estimated cost in the aggregate of \$132,292 annually
2,376	Physician offices	Estimated cost in the aggregate of \$161,920 annually
44	Ambulatory surgical centers	Estimated cost in the aggregate of \$3,689 annually
1,265	Residential care facilities I or II and Intermediate care facilities or skilled nursing facilities	Estimated cost in the aggregate of \$600 annually
85	Free-standing cancer clinics and treatment centers	Estimated cost in the aggregate of \$191,760 annually

III. WORKSHEET

Hospitals Estimated Cost of Compliance

There are 109 non-public hospitals in Missouri. Fifty-three (53) of these will report electronically, 4 manually and 52 by medical record documentation. Estimated costs by reporting type are:

- Electronic reporting: 53 hospitals x \$9.95 per reported case x 450 average number of cases reported annually = \$237,308.
- Manual reporting: 4 hospitals x \$11.35 per reported case x 85 average number of cases reported annually = \$3,859.
- Medical record documentation: 52 hospitals x \$6.00 per reported case x 14 average number of cases reported annually = \$4,368.

Total Hospitals Estimated Annual Cost of Compliance = \$245,535

Pathology Laboratories Estimated Cost of Compliance

There are 121 pathology laboratories in Missouri. Sixty-four (64) will report by laboratory record documentation and fifty-seven (57) will report electronically. Estimated costs by reporting type are:

- Laboratory record reporting: 64 laboratories x \$1.65 per reported case x 35 average number of cases reported annually = \$3,696 + \$4.00 for postage = \$3,700.
- Electronic reporting: 57 laboratories x \$256 annual reporting cost = \$14,592. An additional \$2,000 per laboratory is required the first year of reporting to program the system to export data (\$2,000 x 57 laboratories = \$114,000). Therefore, first year costs are \$14,592 + \$114,000 = \$128,592.

Total Pathology Laboratories Estimated Annual Cost of Compliance = \$132,292

Physician Offices Estimated Cost of Compliance

There are 14,700 licensed physicians in Missouri. Of those 2,376 physicians practice in specialties most likely to diagnose primary cases of cancer. It is estimated that dermatologists and urologists will be the physician specialties

most likely to report cancer cases as individuals with melanomas, basal cell carcinomas and prostate cancer are often treated in the physician's office. The following estimates regarding physician reporting were used:

- 10% will report 20 cases of cancer per year using the manual reporting method.
- 30% will report 10 cases of cancer per year using the manual reporting method.
- 50% will report 2 cases of cancer per year using the manual reporting method.
- 10% will not report any cases of cancer.

Based upon these reporting estimates, the annual costs are calculated as follows:

For those reporting 20 cases per year:

- $238 \text{ physicians} \times \$11.35/\text{case} \times 20 \text{ cases} = \$54,026.$

For those reporting 10 cases per year:

- $713 \text{ physicians} \times \$11.35/\text{case} \times 10 \text{ cases} = \$80,926$

For those reporting 2 cases per year:

- $1,188 \text{ physicians} \times \$11.35/\text{case} \times 2 \text{ cases} = \$26,968$

Total Physician Office Estimated Annual Cost of Compliance = \$161,920

Ambulatory Surgical Centers Estimated Cost of Compliance

There are 44 ambulatory surgical centers in Missouri. It is expected that 30% will report primary cases of cancer using the manual reporting method.

Estimated annual costs of reporting are:

- Manual reporting: $13 \text{ surgical centers} \times \$11.35 \text{ per reported case} \times 25 \text{ average number of cases reported annually} = \$3,688.75 \text{ rounded to } \$3,689.$

Total Ambulatory Surgical Centers Estimated Annual Cost of Compliance = \$3,689

Residential Care Facilities I or II, Intermediate Care Facility or Skilled Nursing Facility Estimated Cost of Compliance

There are 317 residential care facilities I, 367 residential care facilities II, 77 intermediate care facilities and 540 skilled nursing facilities for a total of 1,265

facilities in Missouri. Estimated annual costs of reporting using medical record documentation are:

- Medical record documentation reporting of 100 total cases of cancer annually are \$6.00 per reported case x 100 cases = \$600.

Total Residential Care Facilities I or II, Intermediate Care Facilities and Skilled Nursing Facilities Estimated Annual Cost of Compliance = \$600

Free-Standing Cancer Clinic and Treatment Center Estimated Cost of Compliance

Free standing cancer clinics and treatment centers are defined as radiation therapy centers and chemotherapy treatment centers. There are an estimated 85 of these centers in Missouri. All of these entities will electronically. Estimated costs for reporting:

- Electronic reporting: 85 cancer clinics and treatment centers x \$256 annual reporting cost = \$21,760. An additional \$2,000 per cancer clinic and treatment center is required the first year of reporting to program the system to export data (\$2,000 x 85 laboratories = \$170,000). Therefore, first year costs are \$21,760+ \$170,000 = \$191,760.

Total Free-Standing Cancer Clinic and Treatment Center Estimated Annual Cost of Compliance = \$191,760

IV. ASSUMPTIONS

Hospitals Estimated Cost of Compliance Assumptions

Hospitals are required to report. Three means of reporting will be used based upon size of the facility and number of primary cases of cancer it is expected they will report. These three means of reporting are:

1. Electronic reporting – This includes using the North American Association of Central Cancer Registries (NAACCR) layout completed based upon information provided by the physician.
2. Manual reporting – This involves completing the paper report format "Cancer Registry Initial Abstract." This will generally be completed by hospitals having more than 75 cases of cancer annually who do not electronically report.

3. Medical record documentation reporting – This involves submitting copies of the medical record documentation sufficient for abstraction of required cancer incidence data. This will generally be completed by hospitals having less than 75 cases of cancer annually that do not electronically report.

Assumptions regarding costs for electronic reporting:

1. Estimated costs are based upon data submitted to the Missouri Cancer Registry from hospitals that report in this manner as their in-kind contribution to comply with reporting requirements.
2. An average cost has been calculated for reporting based upon data from 14 hospitals that report electronically. This is calculated at an average of \$9.95 per report. This is based upon the amount of in-kind contribution in order to comply with reporting requirements as stated in a letter to the Missouri Cancer Registry from the reporting hospital divided by the total number of cancer cases reported by that hospital. An average of all hospitals was then calculated.

Assumptions regarding costs for manual reporting:

1. Estimated costs are based upon an average hourly salary for medical records personnel of \$11/hour.
2. Estimated time to complete the case including casefinding, abstraction and submission is 1 hour.
3. Estimated postage per case is \$.33.
4. Estimated per case cost is \$11.33 rounded to \$11.35 per case.

Assumptions regarding costs for medical record documentation reporting:

1. Estimated costs are based upon an average hourly salary for medical records personnel of \$11/hour.
2. Estimated time to complete the case including casefinding, identifying portions of medical record to be copied, copying and submitting is .5 hour.
3. Estimated cost for copying including the paper is \$.15 plus \$.33 for postage.
4. Estimated per case cost is \$5.98 rounded to \$6 per case.

Costs for reporting will be adjusted 5% annually for inflation.

Pathology Laboratories Estimated Cost of Compliance

Beginning with this legislation, pathology laboratories are required to report. Of the 121 pathology laboratories licensed in Missouri, 64 are considered small or very small laboratories and 57 are considered moderate, large or very large laboratories based upon number of tests run annually.

Contacts were made with other states who require pathology laboratories to report in order to develop an estimate of how many cases are expected to be reported. Small and very small laboratories will report cases quarterly using laboratory record documentation. Laboratory record documentation involves submitting copies of the laboratory report sufficient for abstraction of required cancer incidence data. Assumptions regarding costs for laboratory record documentation reporting include:

1. Estimated costs are based upon an average hourly salary for laboratory clerical personnel of \$6.00/hour.
2. Estimated time to complete the case include copying and submitting is 15 minutes.
3. Estimated cost for copying including the paper is \$.15. Postage cost is \$1.00 per quarter.
4. Estimated per case cost is \$1.65 per case ($\$6.00/\text{hour} \times .25 \text{ hr} + \1.15 paper).

Moderate, large and very laboratories will report cases monthly using electronic reporting. Electronic reporting is common in these laboratories. Therefore, the assumption has been made that they will electronically report cancer cases. Electronic reporting involves the initial setting-up a program to export laboratory reports by disk to the Missouri Cancer Registry. Assumptions regarding costs for electronic reporting:

1. Estimated initial set-up programming for electronic reporting are based upon an average of \$20/hour salary for a computer programmer.
2. Estimated time required for programming to generate the export file are based upon an average of 100 hours for a total of \$2,000 per laboratory for initial program set-up.
3. Estimated monthly cost to run the export files are based upon 1 hour programmer time (\$20), cost of a computer disk (\$.80) and postage to send the computer disk to the Missouri Cancer Registry monthly (\$.55) for a total monthly cost of $\$21.35 \times 12 \text{ months} = \256.20 rounded to \$256 annually.

4. First year costs include \$2,000 set-up and annual reporting cost of \$256.
Annually thereafter costs are for annual reporting only.

Costs for reporting will be adjusted 5% annually for inflation.

Physician Offices Estimated Cost of Compliance

Beginning with this legislation, physicians are required to report. Using physician specialty codes provided by the Missouri Department of Health, Health Resources Statistics Bureau, the most common physician specialties for cancer reporting were identified. From this list of 2,836 physicians, physicians who practice in hospitals (358) and clinics associated with hospitals (88) were subtracted as it was assumed that the hospital will report on behalf of the physician. Those physicians who are in medical research (6) and work in professional associations (8) were subtracted as it was assumed that they are not in clinical practice. Physicians who practice in military health facilities (7) and other federal facilities (36) were assumed not to be required to report based upon non-applicability of Missouri law to their facilities. This left a total of 2,376 physicians to whom this reporting legislation would apply.

Costs for manual reporting are calculated the same as those for hospitals (see that section for complete explanation).

Costs for reporting will be adjusted 5% annually for inflation.

Ambulatory Surgical Centers Estimated Cost of Compliance

Beginning with this legislation, ambulatory surgical centers are required to report. Contacts were made with 13 of the 44 ambulatory surgical centers that will be required to report in order to develop an estimate of how many centers and cases are expected to be reported. Of the 13 centers contacted, only 30% diagnose cancer cases, the other centers either do not diagnose cancer cases or send biopsies to pathology laboratories (who are also required to report cancer cases). Therefore it was assumed that only 30% of the ambulatory surgical centers will report primary cases of cancer.

Based on these inquiries, 25 of primary cases of cancer are expected to be reported by 13 centers using the manual method of reporting previously described.

Costs for reporting will be adjusted 5% annually for inflation.

Residential Care Facilities I or II, Intermediate Care Facility or Skilled Nursing Facility Estimated Cost of Compliance

Beginning with this legislation, residential care facilities I and II, intermediate care facilities and skilled nursing facilities are required to report. Since most cancer cases are diagnosed outside of these care facilities it is assumed that only a total of 100 cases would be reported by these types of facilities. The medical record documentation reporting method will be the reporting method used. This method involves submitting copies of the medical record documentation sufficient for abstraction of required cancer incidence data. The same set of assumption for calculating the per case cost of reporting was used as noted above for hospitals.

Costs for reporting will be adjusted 5% annually for inflation.

**Free-Standing Cancer Clinic and Treatment Center
Estimated Cost of Compliance**

Beginning with this legislation, free-standing cancer clinics and treatment centers are required to report. In Missouri, these entities are referred to as radiation therapy centers and chemotherapy centers. There are an estimated 85 of these entities in Missouri. The purpose of these centers is to treat cancer cases. Therefore, it is assumed that they will report many primary cases of cancer using electronic means as that described for pathology laboratories.

Electronic reporting is common in these clinics and centers. Therefore, the assumption has been made that they will electronically report cancer cases. Electronic reporting involves the initial setting-up a program to export clinic/center reports by disk to the Missouri Cancer Registry. Assumptions regarding costs for electronic reporting:

1. Estimated initial set-up programming for electronic reporting are based upon an average of \$20/hour salary for a computer programmer.
2. Estimated time required for programming to generate the export file are based upon an average of 100 hours for a total of \$2,000 per clinic/center for initial program set-up.
3. Estimated monthly cost to run the export files are based upon 1 hour programmer time (\$20), cost of a computer disk (\$.80) and postage to send the computer disk to the Missouri Cancer Registry monthly (\$.55) for a total monthly cost of $\$21.35 \times 12 \text{ months} = \256.20 rounded to \$256 annually.
4. First year costs include \$2,000 set-up and annual reporting cost of \$256. Annually thereafter costs are for annual reporting only.

Costs for reporting will be adjusted 5% annually for inflation.

Title 20—DEPARTMENT OF INSURANCE
Division 200—Financial Examination
Chapter 1—Financial Solvency and Accounting
Standards

PROPOSED RULE

20 CSR 200-1.160 Valuation of Life Insurance Policies

PURPOSE: The purpose of this regulation is to provide: 1) tables of select mortality factors and rules for their use; 2) rules concerning a minimum standard for the valuation of plans with non-level premiums or benefits; and 3) rules concerning a minimum standard for the valuation of plans with secondary guarantees. The method for calculating basic reserves defined in this regulation will constitute the Commissioners' Reserve Valuation Method for policies to which this regulation is applicable.

(1) Applicability. This rule shall apply to all life insurance policies, with or without nonforfeiture values, issued on or after the effective date of this rule, subject to the following exceptions and conditions:

(A) Exceptions.

1. This rule shall not apply to any individual life insurance policy issued on or after the effective date of this rule if the policy is issued in accordance with and as a result of the exercise of a reentry provision contained in the original life insurance policy of the same or greater face amount, issued before the effective date of this rule, that guarantees the premium rates of the new policy. This rule also shall not apply to subsequent policies issued as a result of the exercise of such a provision, or a derivation of the provision, in the new policy.

2. This rule shall not apply to any universal life policy that meets all the following requirements:

A. Secondary guarantee period, if any, is five (5) years or less;

B. Specified premium for the secondary guarantee period is not less than the net level reserve premium for the secondary guarantee period based on the CSO valuation tables as defined in subsection (2)(F) and the applicable valuation interest rate; and,

C. The initial surrender charge is not less than one hundred percent (100%) of the first year annualized specified premium for the secondary guarantee period.

3. This rule shall not apply to any variable life insurance policy that provides for life insurance, the amount or duration of which varies according to the investment experience of any separate account or accounts.

4. This rule shall not apply to any variable universal life insurance policy that provides for life insurance, the amount or duration of which varies according to the investment experience of any separate account or accounts.

5. This rule shall not apply to a group life insurance certificate unless the certificate provides for a stated or implied schedule of maximum gross premiums required in order to continue coverage in force for a period in excess of one year.

(B) Conditions.

1. Calculation of the minimum valuation standard for policies with guaranteed nonlevel gross premiums or guaranteed nonlevel benefits (other than universal life policies), or both, shall be in accordance with the provisions of section (4).

2. Calculation of the minimum valuation standard for flexible premium and fixed premium universal life insurance policies that contain provisions resulting in the ability of a policyholder to keep a policy in force over a secondary guarantee period shall be in accordance with the provisions of section (5).

(2) Definitions. For purposes of this rule:

(A) "Basic reserves" means reserves calculated pursuant to section 376.380.1(2)(b), RSMo.

(B) "Contract segmentation method" means the method of dividing the period from issue to mandatory expiration of a policy into successive segments, with the length of each segment being defined as the period from the end of the prior segment (from policy inception, for the first segment) to the end of the latest policy year as determined below. All calculations are made using the 1980 CSO valuation tables, as defined in subsection (F) of this section (or any other valuation mortality table adopted by the National Association of Insurance Commissioners (NAIC), after the effective date of this rule and promulgated by rule by the director for this purpose) and, if elected, the optional minimum mortality standard for deficiency reserves stipulated in subsection (3)(B) of this rule. The length of a particular contract segment shall be equal to the minimum of the value t for which G_t is greater than R_t (if G_t never exceeds R_t the segment length is deemed to be the number of years from the beginning of the segment to the mandatory expiration date of the policy), where G_t and R_t are defined as follows:

$$G_t = \frac{GP_{x+k+t}}{GP_{x+k+t-1}}$$

where:

x = original issue age;

k = the number of years from the date of issue to the beginning of the segment;

t = 1, 2, ...; t is reset to 1 at the beginning of each segment;

$GP_{x+k+t-1}$ = Guaranteed gross premium per thousand of face amount for year t of the segment, ignoring policy fees only if level for the premium paying period of the policy.

$$R_t = \frac{q_{x+k+t}}{q_{x+k+t-1}}$$

However, R_t may be increased or decreased by one percent in any policy year, at the company's option, but R_t shall not be less than one;

where:

x , k and t are as defined above, and

$q_{x+k+t-1}$ = valuation mortality rate for deficiency reserves in policy year $k+t$ but using the mortality of paragraph (3)(B)2. if paragraph (3)(B)3. is elected for deficiency reserves.

However, if GP_{x+k+t} is greater than 0 and $GP_{x+k+t-1}$ is equal to 0, G_t shall be deemed to be 1000. If GP_{x+k+t} and $GP_{x+k+t-1}$ are both equal to 0, G_t shall be deemed to be 0.

(C) "Deficiency reserves" means the excess, if greater than zero, of—

1. Minimum reserves calculated pursuant to section 376.380.1(2)(i), RSMo, over

2. Basic reserves.

(D) "Guaranteed gross premiums" means the premiums under a policy of life that are insurance guaranteed and determined at issue.

(E) "Maximum valuation interest rates" means the interest rates defined in section 376.380.2, RSMo, that are to be used in determining the minimum standard for the valuation of life insurance policies.

(F) "1980 CSO valuation tables" means the Commissioners' 1980 Standard Ordinary Mortality Table (1980 CSO Table) without ten-year selection factors, incorporated into section 376.380,

RSMo, and 20 CSR 400-1.110, 20 CSR 400-1.120 and 20 CSR 1.130.

(G) "Scheduled gross premium" means the smallest illustrated gross premium at issue for other than universal life insurance policies. For universal life insurance policies, scheduled gross premium means the smallest specified premium described in paragraph (5)(A)3., if any, or else the minimum premium described in paragraph (5)(A)4.;

(H) Segmented Reserves.

1. "Segmented reserves" means reserves, calculated using segments produced by the contract segmentation method, equal to the present value of all future guaranteed benefits less the present value of all future net premiums to the mandatory expiration of a policy, where the net premiums within each segment are a uniform percentage of the respective guaranteed gross premiums within the segment. The uniform percentage for each segment is such that, at the beginning of the segment, the present value of the net premiums within the segment equals:

A. The present value of the death benefits within the segment, plus

B. The present value of any unusual guaranteed cash value (see subsection (4)(D)) occurring at the end of the segment, less

C. Any unusual guaranteed cash value occurring at the start of the segment, plus

D. For the first segment only, the excess of part (I) over part (II) as follows:

(I) A net level annual premium equal to the present value, at the date of issue, of the benefits provided for in the first segment after the first policy year, divided by the present value, at the date of issue, of an annuity of one (1) per year payable on the first and each subsequent anniversary within the first segment on which a premium falls due. However, the net level annual premium shall not exceed the net level annual premium on the nineteen (19)-year premium whole life plan of insurance of the same renewal year equivalent level amount at an age one (1)-year higher than the age at issue of the policy.

(II) A net one (1)-year term premium for the benefits provided for in the first policy year.

2. The length of each segment is determined by the "contract segmentation method," as defined in this section.

3. The interest rates used in the present value calculations for any policy may not exceed the maximum valuation interest rate, determined with a guarantee duration equal to the sum of the lengths of all segments of the policy.

4. For both basic reserves and deficiency reserves computed by the segmented method, present values shall include future benefits and net premiums in the current segment and in all subsequent segments.

(I) "Tabular cost of insurance," means the net single premium at the beginning of a policy year for one (1)-year term insurance in the amount of the guaranteed death benefit in that policy year.

(J) "Ten-year select factors," means the select factors adopted with section 376.380, RSMo and 20 CSR 400-1.110, 20 CSR 400-1.120 and 20 CSR 400-1.130.

(K) Unitary Reserves.

1. "Unitary reserves" means the present value of all future guaranteed benefits less the present value of all future modified net premiums, where:

A. Guaranteed benefits and modified net premiums are considered to the mandatory expiration of the policy; and

B. Modified net premiums are a uniform percentage of the respective guaranteed gross premiums, where the uniform percentage is such that, at issue, the present value of the net premiums equals the present value of all death benefits and pure endowments, plus the excess of part (I) over part (II), as follows:

(I) A net level annual premium equal to the present value, at the date of issue, of the benefits provided for after the first policy year, divided by the present value, at the date of issue, of an

annuity of one (1) per year payable on the first and each subsequent anniversary of the policy on which a premium falls due. However, the net level annual premium shall not exceed the net level annual premium on the nineteen (19)-year premium whole life plan of insurance of the same renewal year equivalent level amount at an age one (1) year higher than the age at issue of the policy.

(II) A net one (1)-year term premium for the benefits provided for in the first policy year.

2. The interest rates used in the present value calculations for any policy may not exceed the maximum valuation interest rate, determined with a guarantee duration equal to the length from issue to the mandatory expiration of the policy.

(L) "Universal life insurance policy" means any individual life insurance policy under the provisions of which separately identified interest credits (other than in connection with dividend accumulations, premium deposit funds or other supplementary accounts) and mortality or expense charges are made to the policy.

(3) General Calculation Requirements for Basic Reserves and Premium Deficiency Reserves.

(A) At the election of the company for any one or more specified plans of life insurance, the minimum mortality standard for basic reserves may be calculated using the 1980 CSO valuation tables with select mortality factors (or any other valuation mortality table adopted by the NAIC after the effective date of this rule and promulgated by rule by the director for this purpose). If select mortality factors are elected, they may be:

1. The ten (10)-year select mortality factors incorporated into Section 376.380, RSMo, and 20 CSR 400-1.100, 20 CSR 400-1.120 and 20 CSR 400-1.130;

2. The select mortality factors in the Appendix; or

3. Any other table of select mortality factors adopted by the NAIC after the effective date of this rule and promulgated by rule by the director for the purpose of calculating basic reserves.

(B) Deficiency reserves, if any, are calculated for each policy as the excess, if greater than zero, of the quantity A over the basic reserve. The quantity A is obtained by recalculating the basic reserve for the policy using guaranteed gross premiums instead of net premiums when the guaranteed gross premiums are less than the corresponding net premiums. At the election of the company for any one or more specified plans of insurance, the quantity A and the corresponding net premiums used in the determination of quantity A may be based upon the 1980 CSO valuation tables with select mortality factors (or any other valuation mortality table adopted by the NAIC after the effective date of this rule and promulgated by rule by the director). If select mortality factors are elected, they may be:

1. The ten (10)-year select mortality factors incorporated into section 376.380, RSMo, and 20 CSR 400-1.110, 20 CSR 400-1.120 and 20 CSR 400-1.130;

2. The select mortality factors in the Appendix of this rule;

3. For durations in the first segment, X percent of the select mortality factors in the Appendix, subject to the following:

A. X may vary by policy year, policy form, underwriting classification, issue age or any other policy factor expected to affect mortality experience;

B. X shall not be less than twenty percent (20%);

C. X shall not decrease in any successive policy years;

D. X is such that, when using the valuation interest rate used for basic reserves, part (I) is greater than or equal to part (II):

(I) The actuarial present value of future death benefits, calculated using the mortality rates resulting from the application of X;

(II) The actuarial present value of future death benefits calculated using anticipated mortality experience without recognition of mortality improvement beyond the valuation date;

E. X is such that the mortality rates resulting from the application of X are at least as great as the anticipated mortality experience, without recognition of mortality improvement beyond the valuation date, in each of the first five (5) years after the valuation date;

F. The appointed actuary shall increase X at any valuation date where it is necessary to continue to meet all the requirements of paragraph (B)3.;

G. The appointed actuary may decrease X at any valuation date as long as X does not decrease in any successive policy years and as long as it continues to meet all the requirements of paragraph (B)3. of this section;

H. The appointed actuary shall specifically take into account the adverse effect on expected mortality and lapsation of any anticipated or actual increase in gross premiums; and

I. If X is less than one hundred percent (100%) percent at any duration for any policy, the following requirements shall be met:

(I) The appointed actuary shall annually prepare an actuarial opinion and memorandum for the company in conformance with the requirements of section 20 CSR 200-1.116(6); and

(II) The appointed actuary shall annually opine for all policies subject to this rule as to whether the mortality rates resulting from the application of X meet the requirements of paragraph (B)3. of this section. This opinion shall be supported by an actuarial report, subject to appropriate Actuarial Standards of Practice promulgated by the Actuarial Standards Board of the American Academy of Actuaries. The X factors shall reflect anticipated future mortality, without recognition of mortality improvement beyond the valuation date, taking into account relevant emerging experience.

4. Any other table of select mortality factors adopted by the NAIC after the effective date of this rule and promulgated by rule by the director for the purpose of calculating deficiency reserves.

(C) This subsection applies to both basic reserves and deficiency reserves. Any set of select mortality factors may be used only for the first segment. However, if the first segment is less than ten (10) years, the appropriate ten-year select mortality factors incorporated into section 376.380, RSMo, and 20 CSR 400-1.110, 20 CSR 400-1.120 and 20 CSR 400-1.130 may be used thereafter through the tenth policy year from the date of issue.

(D) In determining basic reserves or deficiency reserves, guaranteed gross premiums without policy fees may be used where the calculation involves the guaranteed gross premium, but only if the policy fee is a level dollar amount after the first policy year. In determining deficiency reserves, policy fees may be included in guaranteed gross premiums, even if not included in the actual calculation of basic reserves.

(E) Reserves for policies that have changes to guaranteed gross premiums, guaranteed benefits, guaranteed charges, or guaranteed credits that are unilaterally made by the insurer after issue and that are effective for more than one (1) year after the date of the change shall be the greatest of the following:

1. Reserves calculated ignoring the guarantee;
2. Reserves assuming the guarantee was made at issue; and
3. Reserves assuming that the policy was issued on the date of the guarantee.

(F) The director may require that the company document the extent of the adequacy of reserves for specified blocks, including, but not limited to policies issued prior to the effective date of this rule. This documentation may include a demonstration of the extent to which aggregation with other non-specified blocks of business is relied upon in the formation of the appointed actuary opinion pursuant to and consistent with the requirements of section 20 CSR 200-1.116(6).

(4) Calculation of Minimum Valuation Standard for Policies with Guaranteed Nonlevel Gross Premiums or Guaranteed Nonlevel Benefits (Other than Universal Life Policies).

(A) Basic Reserves. Basic reserves shall be calculated as the greater of the segmented reserves and the unitary reserves. Both the segmented reserves and the unitary reserves for any policy shall use the same valuation mortality table and selection factors. At the option of the insurer, in calculating segmented reserves and net premiums, either of the adjustments described in paragraph 1. or 2. of this subsection may be made:

1. Treat the unitary reserve, if greater than zero, applicable at the end of each segment as a pure endowment and subtract the unitary reserve, if greater than zero, applicable at the beginning of each segment from the present value of guaranteed life insurance and endowment benefits for each segment;

2. Treat the guaranteed cash surrender value, if greater than zero, applicable at the end of each segment as a pure endowment; and subtract the guaranteed cash surrender value, if greater than zero, applicable at the beginning of each segment from the present value of guaranteed life insurance and endowment benefits for each segment.

(B) Deficiency Reserves.

1. The deficiency reserve at any duration shall be calculated:

- A. On a unitary basis if the corresponding basic reserve determined by subsection (A) of this section is unitary;

- B. On a segmented basis if the corresponding basic reserve determined by subsection (A) of this section is segmented; or

- C. On the segmented basis if the corresponding basic reserve determined by subsection (A) of this section is equal to both the segmented reserve and the unitary reserve.

2. This subsection shall apply to any policy for which the guaranteed gross premium at any duration is less than the corresponding modified net premium calculated by the method used in determining the basic reserves, but using the minimum valuation standards of mortality (specified in subsection (3)(B)) and rate of interest.

3. Deficiency reserves, if any, shall be calculated for each policy as the excess if greater than zero, for the current and all remaining periods, of the quantity A over the basic reserve, where A is obtained as indicated in subsection (3)(B).

4. For deficiency reserves determined on a segmented basis, the quantity A is determined using segment lengths equal to those determined for segmented basic reserves.

(C) Minimum Value. Basic reserves may not be less than the tabular cost of insurance for the balance of the policy year, if mean reserves are used. Basic reserves may not be less than the tabular cost of insurance for the balance of the current modal period or to the paid to date, if later, but not beyond the next policy anniversary, if mid-terminal reserves are used. The tabular cost of insurance shall use the same valuation mortality table and interest rates as that used for the calculation of the segmented reserves. However, if select mortality factors are used, they shall be the ten (10)-year select factors incorporated into section 376.380, RSMo, and 20 CSR 400-1.110, 20 CSR 400-1.120 and 20 CSR 400-1.130. In no case may total reserves (including basic reserves, deficiency reserves and any reserves held for supplemental benefits that would expire upon contract termination) be less than the amount that the policy owner would receive (including the cash surrender value of the supplemental benefits, if any, referred to above), exclusive of any deduction for policy loans, upon termination of the policy.

(D) Unusual Pattern of Guaranteed Cash Surrender Values.

1. For any policy with an unusual pattern of guaranteed cash surrender values, the reserves actually held prior to the first unusual guaranteed cash surrender value shall not be less than the reserves calculated by treating the first unusual guaranteed cash surrender value as a pure endowment and treating the policy as an *n* year policy providing term insurance plus a pure endowment

equal to the unusual cash surrender value, where n is the number of years from the date of issue to the date the unusual cash surrender value is scheduled.

2. The reserves actually held subsequent to any unusual guaranteed cash surrender value shall not be less than the reserves calculated by treating the policy as an n year policy providing term insurance plus a pure endowment equal to the next unusual guaranteed cash surrender value, and treating any unusual guaranteed cash surrender value at the end of the prior segment as a net single premium, where:

A. n is the number of years from the date of the last unusual guaranteed cash surrender value prior to the valuation date to the earlier of:

(I) The date of the next unusual guaranteed cash surrender value, if any, that is scheduled after the valuation date; or

(II) The mandatory expiration date of the policy; and

B. The net premium for a given year during the n year period is equal to the product of the net to gross ratio and the respective gross premium; and

C. The net to gross ratio is equal to part (I) divided by part (II) as follows:

(I) The present value, at the beginning of the n year period, of death benefits payable during the n year period plus the present value, at the beginning of the n year period, of the next unusual guaranteed cash surrender value, if any, minus the amount of the last unusual guaranteed cash surrender value, if any, scheduled at the beginning of the n year period.

(II) The present value, at the beginning of the n year period, of the scheduled gross premiums payable during the n year period.

3. For purposes of this subsection, a policy is considered to have an unusual pattern of guaranteed cash surrender values if any future guaranteed cash surrender value exceeds the prior year's guaranteed cash surrender value by more than the sum of:

A. One hundred ten percent (110%) of the scheduled gross premium for that year;

B. One hundred ten percent (110%) of one (1)-year's accrued interest on the sum of the prior year's guaranteed cash surrender value and the scheduled gross premium using the nonforfeiture interest rate used for calculating policy guaranteed cash surrender values; and

C. Five percent (5%) of the first policy year surrender charge, if any.

(E) Optional Exemption for Yearly Renewable Term Reinsurance (YRT). At the option of the company, the following approach for reserves on YRT reinsurance may be used:

1. Calculate the valuation net premium for each future policy year as the tabular cost of insurance for that future year;

2. Basic reserves shall never be less than the tabular cost of insurance for the appropriate period, as defined in subsection (4)(C);

3. Deficiency reserves.

A. For each policy year, calculate the excess, if greater than zero, of the valuation net premium over the respective maximum guaranteed gross premium.

B. Deficiency reserves shall never be less than the sum of the present values, at the date of valuation, of the excesses determined in accordance with subparagraph A. of this paragraph.

4. For purposes of this subsection, the calculations use the maximum valuation interest rate and the 1980 CSO mortality tables with or without ten (10)-year select mortality factors, or any other table adopted by the NAIC after the effective date of this rule and promulgated by rule of the director for this purpose.

5. A reinsurance agreement shall be considered YRT reinsurance for purposes of this subsection if only the mortality risk is reinsured.

6. If the assuming company chooses this optional exemption, the ceding company's reinsurance reserve credit shall be limited to

the amount of reserve held by the assuming company for the affected policies.

(F) Optional Exemption for Attained-Age-Based Yearly Renewable Term Life Insurance Policies. At the option of the company, the following approach for reserves for attained-age-based YRT life insurance policies may be used:

1. Calculate the valuation net premium for each future policy year as the tabular cost of insurance for that future year.

2. Basic reserves shall never be less than the tabular cost of insurance for the appropriate period, as defined in subsection (4)(C);

3. Deficiency reserves.

A. For each policy year, calculate the excess, if greater than zero, of the valuation net premium over the respective maximum guaranteed gross premium.

B. Deficiency reserves shall never be less than the sum of the present values, at the date of valuation, of the excesses determined in accordance with subparagraph A. of this paragraph.

4. For purposes of this subsection, the calculations use the maximum valuation interest rate and the 1980 CSO valuation tables with or without ten (10)-year select mortality factors, or any other table adopted by the NAIC after the effective date of this rule and promulgated by rule by the director for this purpose.

5. A policy shall be considered an attained-age-based YRT life insurance policy for purposes of this subsection if:

A. The premium rates (on both the initial current premium scale and the guaranteed maximum premium scale) are based upon the attained age of the insured such that the rate for any given policy at a given attained age of the insured is independent of the year the policy was issued; and

B. The premium rates (on both the initial current premium scale and the guaranteed maximum premium scale) are the same as the premium rates for policies covering all insured persons of the same sex, risk class, plan of insurance and attained age.

6. For policies that become attained-age-based YRT policies after an initial period of coverage, the approach of this subsection may be used after the initial period if:

A. The initial period is constant for all insured persons of the same sex, risk class and plan of insurance; or

B. The initial period runs to a common attained age for all insureds of the same sex, risk class and plan of insurance; and

C. After the initial period of coverage, the policy meets the conditions of paragraph 5. of this subsection.

7. If this election is made, this approach shall be applied in determining reserves for all attained-age-based YRT life insurance policies issued on or after the effective date of this rule.

(G) Exemption for Unitary Reserves for Certain n -Year Renewable Term Life Insurance Policies. Unitary basic reserves and unitary deficiency reserves need not be calculated for a policy if the following conditions are met:

1. The policy consists of a series of n -year periods, including the first period and all renewal periods, where n is the same for each period, except that for the final renewal period, n may be truncated or extended to reach the expiry age, provided that this final renewal period is less than ten (10) years and less than twice the size of the earlier n -year periods, and for each period, the premium rates on both the initial current premium scale and the guaranteed maximum premium scale are level;

2. The guaranteed gross premiums in all n -year periods are not less than the corresponding net premiums based upon the 1980 CSO Table with or without the ten (10)-year select mortality factors; and

3. There are no cash surrender values in any policy year.

(H) Exemption from Unitary Reserves for Certain Juvenile Policies. Unitary basic reserves and unitary deficiency reserves need not be calculated for a policy if the following conditions are met, based upon the initial current premium scale at issue:

1. At issue, the insured is age twenty-four (24) or younger;

2. Until the insured reaches the end of the juvenile period, which shall occur at or before age twenty-five (25), the gross premiums and death benefits are level, and there are no cash surrender values; and

3. After the end of the juvenile period, gross premiums are level for the remainder of the premium paying period, and death benefits are level for the remainder of the life of the policy.

(5) Calculation of Minimum Valuation Standard for Flexible Premium and Fixed Premium Universal Life Insurance Policies That Contain Provisions Resulting in the Ability of a Policyowner to Keep a Policy in Force Over a Secondary Guarantee Period.

(A) General.

1. Policies with a secondary guarantee include:

A. A policy with a guarantee that the policy will remain in force at the original schedule of benefits, subject only to the payment of specified premiums;

B. A policy in which the minimum premium at any duration is less than the corresponding one (1)-year valuation premium, calculated using the maximum valuation interest rate and the 1980 CSO valuation tables with or without ten (10)-year select mortality factors, or any other table adopted after the effective date of this rule by the NAIC and promulgated by regulation by the director for this purpose; or

C. A policy with any combination of subparagraphs A. and B. of this paragraph.

2. A secondary guarantee period is the period for which the policy is guaranteed to remain in force subject only to a secondary guarantee. When a policy contains more than one secondary guarantee, the minimum reserve shall be the greatest of the respective minimum reserves at that valuation date of each unexpired secondary guarantee, ignoring all other secondary guarantees. Secondary guarantees that are unilaterally changed by the insurer after issue shall be considered to have been made at issue. Reserves described in subsections (B) and (C) below shall be recalculated from issue to reflect these changes.

3. Specified premiums mean the premiums specified in the policy, the payment of which guarantees that the policy will remain in force at the original schedule of benefits, but which otherwise would be insufficient to keep the policy in force in the absence of the guarantee if maximum mortality and expense charges and minimum interest credits were made and any applicable surrender charges were assessed.

4. For purposes of this section, the minimum premium for any policy year is the premium that, when paid into a policy with a zero account value at the beginning of the policy year, produces a zero account value at the end of the policy year. The minimum premium calculation shall use the policy cost factors (including mortality charges, loads and expense charges) and the interest crediting rate which are all guaranteed at issue.

5. The one (1)-year valuation premium means the net one (1) year premium based upon the original schedule of benefits for a given policy year. The one (1)-year valuation premiums for all policy years are calculated at issue. The select mortality factors defined in paragraphs (3)(B)2., 3., and 4. may not be used to calculate the one (1)-year valuation premiums.

6. The one (1)-year valuation premium should reflect the frequency of fund processing, as well as the distribution of deaths assumption employed in the calculation of the monthly mortality charges to the fund.

(B) Basic Reserves for the Secondary Guarantees. Basic reserves for the secondary guarantees shall be the segmented reserves for the secondary guarantee period. In calculating the segments and the segmented reserves, the gross premiums shall be set equal to the specified premiums, if any, or otherwise to the minimum premiums, that keep the policy in force and the segments will be determined according to the contract segmentation method as defined in subsection (2)(B).

(C) Deficiency Reserves for the Secondary Guarantees. Deficiency reserves, if any, for the secondary guarantees shall be calculated for the secondary guarantee period in the same manner as described in subsection (4)(B) with gross premiums set equal to the specified premiums, if any, or otherwise to the minimum premiums that keep the policy in force.

(D) Minimum Reserves. The minimum reserves during the secondary guarantee period are the greater of:

1. The basic reserves for the secondary guarantee plus the deficiency reserve, if any, for the secondary guarantees; or

2. The minimum reserves required by other rules or regulations governing universal life plans.

(6) This rule incorporates by reference the Appendix hereto containing tables of select mortality factors.

(7) Effective Date. This rule shall become effective thirty (30) days after publication in the *Code of State Regulations*.

Appendix to Rule 20 CSR 200-1.160 Valuation of Life Insurance Policies**SELECT MORTALITY FACTORS**

This appendix contains tables of select mortality factors that are the bases to which the respective percentage of Section (3)(A)2, (3)(B)2, and (3)(B)3 are applied.

The six tables of select mortality factors contained herein include: (1) male aggregate, (2) male nonsmoker, (3) male smoker, (4) female aggregate, (5) female nonsmoker, and (6) female smoker.

These tables apply to both age last birthday and age nearest birthday mortality tables.

For sex-blended mortality tables, compute select mortality factors in the same proportion as the underlying mortality. For example, for the 1980 CSO-B Table, the calculated select mortality factors are eighty percent (80%) of the appropriate male table in this Appendix, plus twenty percent (20%) of the appropriate female table in this Appendix.

Appendix (continued)

SELECT MORTALITY FACTORS

		Male, Aggregate																			
Issue		Duration																			
Age		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20+
0-15		100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
16		100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
17		100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
18		96	98	98	99	99	100	100	90	92	92	92	92	93	93	96	97	98	98	99	100
19		83	84	84	87	87	87	79	79	79	81	81	82	82	82	85	88	91	94	97	100
20		69	71	71	74	74	69	69	67	69	70	71	71	71	71	74	79	84	90	95	100
21		66	68	69	71	66	66	67	66	67	70	70	70	70	71	71	77	83	88	94	100
22		65	66	66	63	63	64	64	64	65	68	68	68	68	69	71	77	83	88	94	100
23		62	63	59	60	62	62	63	63	64	65	65	67	67	69	70	76	82	88	94	100
24		60	56	56	59	59	60	61	61	61	64	64	64	66	67	70	76	82	88	94	100
25		52	53	55	56	58	58	60	60	60	63	62	63	64	67	69	75	81	88	94	100
26		51	52	55	56	58	58	57	61	61	62	63	64	66	69	66	73	80	86	93	100
27		51	52	55	57	58	60	61	61	60	63	63	64	67	66	67	74	80	87	93	100
28		49	51	56	58	60	60	61	62	62	63	64	66	65	66	68	74	81	87	94	100
29		49	51	56	58	60	61	62	62	62	64	64	62	66	67	70	76	82	88	94	100
30		49	50	56	58	60	60	62	63	63	64	62	63	67	68	71	77	83	88	94	100
31		47	50	56	58	60	62	63	64	64	62	63	66	68	70	72	78	83	89	94	100
32		46	49	56	59	60	62	63	66	62	63	66	67	70	72	73	78	84	89	95	100
33		43	49	56	59	62	63	64	62	65	66	67	70	72	73	75	80	85	90	95	100
34		42	47	56	60	62	63	61	63	66	67	70	71	73	75	76	81	86	90	95	100
35		40	47	56	60	63	61	62	65	67	68	71	73	74	76	76	81	86	90	95	100
36		38	42	56	60	59	61	63	65	67	68	70	72	74	76	77	82	86	91	95	100
37		38	45	56	57	61	62	63	65	67	68	70	72	74	76	76	81	86	90	95	100
38		37	44	53	58	61	62	65	66	67	69	69	73	75	76	77	82	86	91	95	100
39		37	41	53	58	62	63	65	65	66	68	69	72	74	76	76	81	86	90	95	100
40		34	40	53	58	62	63	65	65	66	68	68	71	75	76	77	82	86	91	95	100

Male, Non-Smoker																					
Issue	Duration																				
Age	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20+	
0-15	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	
16	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	
17	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	
18	93	95	96	98	99	100	100	90	92	92	92	92	95	95	96	97	98	98	99	100	
19	80	81	83	86	87	87	79	79	79	81	81	82	83	83	86	89	92	94	97	100	
20	65	68	69	72	74	69	69	67	69	70	71	71	72	72	75	80	85	90	95	100	
21	63	66	68	71	66	66	67	66	67	70	70	70	71	71	73	78	84	89	95	100	
22	62	65	66	62	63	64	64	64	67	68	68	68	70	70	73	78	84	89	95	100	
23	60	62	58	60	62	62	63	63	64	67	68	68	67	69	71	77	83	88	94	100	
24	59	55	56	58	59	60	61	61	63	65	67	66	66	69	71	77	83	88	94	100	
25	52	53	55	56	58	58	60	60	61	64	64	64	64	67	70	76	82	88	94	100	
26	51	53	55	56	58	60	61	61	61	63	64	64	66	69	67	74	80	87	93	100	
27	51	52	55	58	60	60	61	61	62	63	64	66	67	66	67	74	80	87	93	100	
28	49	52	57	58	60	61	63	62	62	64	66	66	63	66	68	74	81	87	94	100	
29	49	51	57	60	61	61	62	62	63	64	66	63	65	67	68	74	81	87	94	100	
30	49	51	57	60	61	62	63	63	63	64	62	63	66	68	70	76	82	88	94	100	
31	47	50	57	60	60	62	63	64	64	62	63	65	67	70	71	77	83	88	94	100	
32	46	50	57	60	62	63	64	64	62	63	65	66	68	71	72	78	83	89	94	100	
33	45	49	56	60	62	63	64	62	63	65	66	68	71	73	74	79	84	90	95	100	
34	43	48	56	62	63	64	62	62	65	66	67	70	72	74	74	79	84	90	95	100	
35	41	47	56	62	63	61	62	63	66	67	68	70	72	74	75	80	85	90	95	100	
36	40	47	56	62	59	61	62	63	66	67	68	70	72	74	75	80	85	90	95	100	
37	38	45	56	58	59	61	62	63	66	67	67	69	71	73	74	79	84	90	95	100	
38	38	45	53	58	61	62	63	65	65	67	68	70	72	74	73	78	84	89	95	100	
39	37	41	53	58	61	62	63	64	65	67	68	70	71	73	73	78	84	89	95	100	
40	34	41	53	58	61	62	63	64	64	66	67	69	71	73	72	78	83	89	94	100	

Male, Non-Smoker[illegible]

Male, Smoker

Issue Age	Duration																			
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20+
0-15	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
16	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
17	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
18	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
19	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
20	98	100	100	100	100	100	100	99	99	99	100	99	99	99	100	100	100	100	100	100
21	95	98	99	100	95	96	96	95	96	97	97	96	96	96	96	97	98	98	99	100
22	92	95	96	90	90	93	93	92	93	95	95	93	93	92	93	94	96	97	99	100
23	90	92	85	88	88	89	89	89	90	90	90	90	89	90	92	94	95	97	98	100
24	87	81	82	85	84	86	88	86	86	88	88	86	86	88	89	91	93	96	98	100
25	77	78	79	82	81	83	83	82	83	85	84	84	84	85	86	89	92	94	97	100
26	75	77	79	82	82	83	83	82	83	84	84	84	84	85	81	85	89	92	96	100
27	73	75	78	82	82	83	83	82	82	82	82	84	84	80	81	85	89	92	96	100
28	71	73	79	82	81	82	83	81	81	82	82	82	80	80	81	85	89	92	96	100
29	69	72	78	81	81	82	82	81	81	81	81	77	80	80	81	85	89	92	96	100
30	68	71	78	81	81	81	82	81	81	81	76	77	80	80	81	85	89	92	96	100
31	65	70	77	81	79	81	82	81	81	76	77	79	81	81	83	86	90	93	97	100
32	63	67	77	78	79	81	81	81	76	77	77	80	83	83	85	88	91	94	97	100
33	60	65	74	78	79	79	81	76	77	77	79	80	83	85	85	88	91	94	97	100
34	57	62	74	77	79	79	75	76	77	79	79	81	83	85	87	90	92	95	97	100
35	53	60	73	77	79	75	75	76	77	79	80	82	84	86	88	90	93	95	98	100
36	52	59	71	75	74	75	75	76	77	79	79	81	83	85	87	90	92	95	97	100
37	49	58	70	71	74	74	75	76	77	78	79	81	84	86	86	89	92	94	97	100
38	48	55	66	70	72	74	74	75	76	78	79	81	83	85	87	90	92	95	97	100
39	45	50	65	70	72	72	74	74	75	77	79	81	84	86	86	89	92	94	97	100
40	41	49	63	68	71	72	73	74	74	76	78	80	83	85	86	89	92	94	97	100

Male, Smoker

Issue	Duration																			
Age	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20+
41	40	49	63	68	71	72	72	72	73	75	76	78	81	84	85	88	91	94	97	100
42	40	49	62	68	70	71	71	71	71	73	75	76	81	83	85	88	91	94	97	100
43	39	50	62	67	69	69	70	70	70	71	73	76	79	83	85	88	91	94	97	100
44	39	50	60	66	68	69	68	69	69	69	71	74	79	81	85	88	91	94	97	100
45	37	50	60	66	68	68	68	67	67	67	69	73	78	81	85	88	91	94	97	100
46	37	48	58	63	65	67	66	66	66	67	71	74	78	81	84	87	90	94	97	100
47	36	47	55	61	63	64	64	64	65	67	71	75	79	81	84	87	90	94	97	100
48	35	46	53	58	60	62	63	63	65	67	72	75	79	81	83	86	90	93	97	100
49	34	45	51	56	58	59	61	62	63	67	72	77	80	81	83	86	90	93	97	100
50	34	43	49	53	55	57	60	61	63	67	73	78	80	81	81	85	89	92	96	100
51	32	42	47	52	55	57	60	61	63	67	73	78	80	83	84	87	90	94	97	100
52	32	40	46	50	54	56	60	61	63	67	73	78	81	84	85	88	91	94	100	100
53	30	37	44	49	54	56	59	61	65	67	74	79	83	85	87	90	92	100	100	100
54	30	36	43	48	53	55	59	61	65	67	74	80	84	85	89	91	100	100	100	100
55	29	35	42	47	53	55	59	61	65	67	75	80	84	86	90	100	100	100	100	100
56	28	35	42	47	53	55	57	60	63	68	74	79	83	85	100	100	100	100	100	100
57	28	35	42	47	53	54	57	60	64	67	74	78	81	100	100	100	100	100	100	100
58	26	33	43	48	54	54	56	59	63	67	73	78	100	100	100	100	100	100	100	100
59	26	33	43	48	54	53	57	59	63	66	73	100	100	100	100	100	100	100	100	100
60	25	33	43	48	54	53	56	58	62	66	100	100	100	100	100	100	100	100	100	100
61	25	33	43	49	55	55	57	59	63	75	100	100	100	100	100	100	100	100	100	100
62	25	33	43	50	56	56	58	61	75	75	100	100	100	100	100	100	100	100	100	100
63	24	33	45	51	56	56	59	75	75	75	100	100	100	100	100	100	100	100	100	100
64	24	34	45	51	57	57	75	75	75	75	100	100	100	100	100	100	100	100	100	100
65	24	34	45	52	57	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
66	24	35	45	53	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
67	25	35	45	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
68	25	36	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
69	27	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
70	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100

	Female, Aggregate																				
Issue	Duration																				
Age	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20+	
0-15	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	
16	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	
17	99	100	100	100	100	100	100	100	93	95	96	97	97	100	100	100	100	100	100	100	
18	83	83	84	84	84	84	86	78	78	79	82	84	85	88	88	90	93	95	98	100	
19	65	66	68	68	68	68	63	63	64	66	69	71	72	74	75	80	85	90	95	100	
20	48	50	51	51	51	47	48	48	49	51	56	57	58	61	63	70	78	85	93	100	
21	47	48	50	51	47	47	48	49	51	53	57	60	61	64	64	71	78	86	93	100	
22	44	47	48	45	47	47	48	49	53	54	60	61	63	64	66	73	80	86	93	100	
23	42	45	44	45	47	47	49	51	53	54	61	64	64	67	69	75	81	88	94	100	
24	39	40	42	44	47	47	50	51	54	56	64	64	66	69	70	76	82	88	94	100	
25	34	38	41	44	47	47	50	53	56	57	64	67	69	71	73	78	84	89	95	100	
26	34	38	41	45	49	49	51	56	58	59	66	69	70	73	70	76	82	88	94	100	
27	34	38	41	47	50	51	54	57	59	60	69	70	73	70	71	77	83	88	94	100	
28	34	37	43	47	53	53	56	59	62	63	70	73	70	72	74	79	84	90	95	100	
29	34	38	43	49	54	56	58	60	63	64	73	70	72	74	75	80	85	90	95	100	
30	35	38	43	50	56	56	59	63	66	67	70	71	74	75	76	81	86	90	95	100	
31	35	38	43	51	56	58	60	64	67	65	71	72	74	75	76	81	86	90	95	100	
32	35	39	45	51	56	59	63	66	65	66	72	72	75	76	76	81	86	90	95	100	
33	36	39	44	52	58	62	64	65	66	67	72	74	75	76	76	81	86	90	95	100	
34	36	40	45	52	58	63	63	66	67	68	74	74	76	76	76	81	86	90	95	100	
35	36	40	45	53	59	61	65	67	68	70	75	74	75	76	75	80	85	90	95	100	
36	36	40	45	53	55	62	65	67	68	70	74	74	74	75	75	80	85	90	95	100	
37	36	41	47	52	57	62	65	67	68	69	72	72	73	75	74	79	84	90	95	100	
38	34	41	44	52	57	63	66	68	69	70	72	71	72	74	75	80	85	90	95	100	
39	34	40	45	53	58	63	66	68	69	69	70	70	70	73	74	79	84	90	95	100	
40	32	40	45	53	58	65	65	67	68	69	70	69	70	73	73	78	84	89	95	100	

Issue	Duration
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Age	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20+
41	32	40	45	53	57	63	64	67	68	68	69	69	69	73	74	79	84	90	95	100
42	32	40	45	52	56	61	63	65	66	68	69	68	70	74	75	80	85	90	95	100
43	31	39	45	51	55	59	61	65	65	66	68	69	69	74	77	82	86	91	95	100
44	31	39	45	50	54	58	61	63	64	66	67	68	71	75	78	82	87	91	96	100
45	31	38	44	49	53	56	59	62	63	65	67	68	71	77	79	83	87	92	96	100
46	29	37	43	48	51	54	59	62	63	65	67	69	71	77	78	82	87	91	96	100
47	28	35	41	46	49	54	57	61	62	66	68	69	71	77	77	82	86	91	95	100
48	28	35	41	44	49	52	57	61	63	66	68	71	72	75	77	82	86	91	95	100
49	26	34	39	43	47	52	55	61	63	67	69	71	72	75	75	80	85	90	95	100
50	25	32	38	41	46	50	55	61	63	67	69	72	72	75	74	79	84	90	95	100
51	25	32	38	41	45	50	55	61	63	66	68	69	71	74	74	79	84	90	95	100
52	23	30	36	41	45	51	56	61	62	65	66	68	68	73	73	78	84	89	100	100
53	23	30	36	41	47	51	56	61	62	63	65	66	68	72	72	78	83	100	100	100
54	22	29	35	41	47	53	57	61	61	62	62	66	66	69	70	76	100	100	100	100
55	22	29	35	41	47	53	57	61	61	61	62	63	64	68	69	100	100	100	100	100
56	22	29	35	41	45	51	56	59	60	61	62	63	64	67	100	100	100	100	100	100
57	22	29	35	41	45	50	54	56	58	59	61	62	63	100	100	100	100	100	100	100
58	22	30	36	41	44	49	53	56	57	57	61	62	100	100	100	100	100	100	100	100
59	22	30	36	41	44	48	51	53	55	56	59	100	100	100	100	100	100	100	100	100
60	22	30	36	41	43	47	50	51	53	55	100	100	100	100	100	100	100	100	100	100
61	22	29	35	39	42	46	49	50	52	80	100	100	100	100	100	100	100	100	100	100
62	20	28	33	39	41	45	47	49	80	80	100	100	100	100	100	100	100	100	100	100
63	20	28	33	38	41	44	46	80	80	80	100	100	100	100	100	100	100	100	100	100
64	19	27	32	36	40	42	80	80	80	80	100	100	100	100	100	100	100	100	100	100
65	19	25	30	35	39	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
66	19	25	30	35	72	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
67	19	25	30	72	72	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
68	19	25	68	72	72	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
69	19	64	68	72	72	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
70	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100

Female, Non-Smoker																					
Issue	Duration																				
Age	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20+	
0-15	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	
16	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	
17	96	98	98	98	98	99	99	99	92	92	93	95	95	97	99	99	99	100	100	100	
18	78	80	80	80	80	81	81	74	75	75	78	79	82	83	85	88	91	94	97	100	
19	60	62	63	63	63	65	59	59	60	60	64	67	67	70	72	78	83	89	94	100	
20	42	44	45	45	45	42	42	42	45	45	50	51	53	56	58	66	75	83	92	100	
21	41	42	44	45	41	42	42	44	47	47	51	53	54	57	59	67	75	84	92	100	
22	39	41	44	41	41	42	44	45	49	49	54	56	57	58	60	68	76	84	92	100	
23	38	41	38	40	41	42	44	46	49	50	56	57	58	60	62	70	77	85	92	100	
24	36	36	38	40	41	42	46	47	50	51	58	59	60	62	63	70	78	85	93	100	
25	32	34	37	40	41	43	46	49	51	53	59	60	62	63	64	71	78	86	93	100	
26	32	34	37	41	43	45	47	50	53	53	60	62	63	64	62	70	77	85	92	100	
27	32	34	38	43	46	47	49	51	53	55	62	63	64	62	62	70	77	85	92	100	
28	30	34	39	43	47	49	51	53	56	58	63	63	61	62	63	70	78	85	93	100	
29	30	35	40	45	50	51	52	55	58	59	64	61	62	63	63	70	78	85	93	100	
30	31	35	40	46	51	52	53	56	59	60	62	62	63	65	65	72	79	86	93	100	
31	31	35	40	46	51	53	55	58	60	58	62	62	63	65	65	72	79	86	93	100	
32	32	35	40	45	51	53	56	59	57	58	62	63	63	65	64	71	78	86	93	100	
33	32	36	41	47	52	55	58	55	58	59	63	63	65	65	65	72	79	86	93	100	
34	33	36	41	47	52	55	55	57	58	59	63	65	64	65	64	71	78	86	93	100	
35	33	36	41	47	52	53	57	58	59	61	63	64	64	64	64	71	78	86	93	100	
36	33	36	41	47	49	53	57	58	59	61	63	64	63	64	63	70	78	85	93	100	
37	32	36	41	44	49	53	57	58	59	60	62	62	61	62	63	70	78	85	93	100	
38	32	37	39	45	50	54	57	58	60	60	61	61	61	62	61	69	77	84	92	100	
39	30	35	39	45	50	54	57	58	60	59	60	60	59	60	61	69	77	84	92	100	
40	28	35	39	45	50	54	56	57	59	59	60	59	59	59	60	68	76	84	92	100	

Female, Non-Smoker[illegible]

Female, Smoker

Issue	Duration																				
	Age	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20+
0-15		100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
16		100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
17		100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
18		99	100	100	100	100	100	100	95	96	97	100	100	100	100	100	100	100	100	100	100
19		87	89	92	92	92	92	84	84	86	86	92	93	95	96	99	99	99	100	100	100
20		74	77	80	80	80	73	73	73	75	77	83	83	86	88	90	92	94	96	98	100
21		71	74	78	78	71	71	73	74	77	79	85	86	88	89	90	92	94	96	98	100
22		68	71	75	70	71	71	73	74	78	79	88	90	89	89	92	94	95	97	98	100
23		65	69	67	70	70	70	73	77	79	81	89	90	90	92	92	94	95	97	98	100
24		62	60	64	69	70	70	74	77	79	81	92	90	92	93	93	94	96	97	99	100
25		53	58	63	67	69	70	74	78	81	82	92	93	93	95	95	96	97	98	99	100
26		53	58	63	69	71	72	75	79	82	82	93	93	95	96	90	92	94	96	98	100
27		52	56	63	70	74	74	78	81	82	84	93	95	95	90	90	92	94	96	98	100
28		52	56	64	71	75	77	79	82	85	86	95	95	90	92	92	94	95	97	98	100
29		51	56	64	71	78	78	81	84	86	88	95	90	90	92	92	94	95	97	98	100
30		51	56	64	72	79	79	82	85	88	89	90	90	92	93	93	94	96	97	99	100
31		51	56	64	72	78	81	84	84	88	84	90	90	92	93	93	94	96	97	99	100
32		51	56	64	71	78	81	85	86	84	85	90	90	92	94	93	94	96	97	99	100
33		51	57	62	71	78	82	85	83	84	85	90	92	93	93	93	94	96	97	99	100
34		51	56	62	71	78	82	81	83	85	86	90	92	92	94	93	94	96	97	99	100
35		51	56	62	71	78	79	83	84	85	86	90	91	91	93	93	94	96	97	99	100
36		49	56	62	71	74	79	83	84	85	86	90	90	91	93	92	94	95	97	98	100
37		48	55	62	67	74	79	83	84	85	86	89	90	89	92	91	93	95	96	98	100
38		47	55	57	66	72	77	81	84	86	86	87	88	88	90	91	93	95	96	98	100
39		45	50	57	66	72	77	81	83	85	86	86	87	86	89	90	92	94	96	98	100
40		41	50	57	66	72	77	81	83	84	85	86	86	86	89	89	91	93	96	98	100

AUTHORITY: section 374.045, RSMo Supp. 1999 and 376.676, RSMo 2000. Original rule filed June 15, 2000.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on the proposed rule will begin at 10:00 a.m., September 5, 2000, in Room 630 of Harry S Truman State Office Building, 301 West High Street, Jefferson City, MO 65101. Any person who requests in writing at least seven days in advance of the hearing to be heard will be heard. Others may be heard if convenient. Any interested person, heard or not, may submit written comments supporting or opposing this proposed rule. Requests to be heard and/or comments should be addressed to Diane Garber, Senior Counsel, Missouri Department of Insurance, Legal Section, Harry S Truman State Office Building, Room 630, P.O. Box 690, Jefferson City, MO 65102-0690. To be considered, written comments must be received within thirty days after publication of this notice in the *Missouri Register*.

SPECIAL NEEDS: Persons with special needs addressed by the Americans with Disabilities Act should contact the Missouri Department of Insurance at least ten days prior to the hearing at one of the following numbers: Consumer Services Hotline Number 1-800-726-7390 or TDD number 1-573-751-4126.

**Title 20—DEPARTMENT OF INSURANCE
Division 400—Life, Annuities and Health
Chapter 7—Health Maintenance Organizations**

PROPOSED AMENDMENT

20 CSR 400-7.180 Standard Form To Establish Credentials.
The department is amending section (2) and replacing Exhibit A that follows this rule in the *Code of State Regulations*.

PURPOSE: This amendment allows Missouri licensed health maintenance organizations to use other states' standardized credentialing forms that have been approved by the director prior to their use. This amendment is promulgated pursuant to section 354.485, RSMo, and implements section 354.442.1(15), RSMo.

(2) The form provided in Exhibit A shall be used by all health carriers and their agents when credentialing or recredentialing health care professionals in a managed care plan. **Use of another state's standardized credentialing form is permissible so long as the director determines prior to its use that it is substantially similar to the form in Exhibit A.** Requests for the director's approval of the use of another state's standardized credentialing form should be submitted to the following address: Missouri Department of Insurance, Managed Care Section, P.O. Box 690, Jefferson City, MO 65102-0690. A request must include a complete copy of the form to be approved and the name, address and telephone number of the person requesting approval. The director will provide written notice to all Missouri licensed health maintenance organizations of the approval of the use of another state's standardized credentialing form. The director also will provide on the department's Internet home page a copy of Missouri's Standardized Credentialing Form with a list of other state standardized credentialing forms that have been approved.

AUTHORITY: sections 354.442.1(15), RSMo [Supp. 1997] Supp. 1999 and 354.485, RSMo 1994. Original rule filed Nov. 3, 1997, effective June 30, 1998. Amended: Filed June 6, 2000.

PUBLIC COST: This proposed amendment will cost the Department of Insurance \$55.94 per year for the life of the rule plus a one time cost of \$249.19.

PRIVATE COST: This proposed amendment will save private entities \$84,000 per year for the life of the rule.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment is scheduled for August 21, 2000, at 10:00 a.m., in Room 630, Truman State Office Building, 301 West High Street, Jefferson City, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Insurance, ATTN: Carrie Couch, P.O. Box 690, Jefferson City, MO 65102-0690, or via Internet E-mail at ccouch0@mail.state.mo.us, prior to the hearing.

SPECIAL NEEDS: If you have special needs addressed by the Americans With Disabilities Act, please notify us at (573) 526-2619 at least five working days prior to the hearing.

**Fiscal Note
Public Entity Cost**

I. RULE NUMBER

Title: 20 – Department of Insurance

Division: 400 – Life, Annuities and Health

Chapter: 7 – Health Maintenance Organization

Type of Rulemaking: Proposed Amendment

Rule: 20 CSR 400-7.180 – Standard Form to Establish Credentials

II. SUMMARY OF FISCAL IMPACT

There is a one time cost of \$249.19 to the Department of Insurance to modify the existing rule and standard form. The Department estimates a cost of \$55.94 per year for the remainder of the life of the rule.

III. WORKSHEET

The Department paid one Healthcare Specialist for eight (8) hours at \$16.70 per hour to modify the existing rule and form. 30 licensed HMOs and 1 HMO operating under the license of a health services corporation will be mailed one computer disk and one 12 page copy of the modified rule and standard form. The Department pays 54.9 cents for a computer disk. The Department charges 20 cents per page for copies. It costs the Department 78 cents to mail one computer disk and one 12 page copy of the modified rule and form. Therefore:

8 hours of work for 1 Healthcare Specialist paid at \$16.70 per hour	\$133.59
31 sets of 11 page modified form plus 1 page modified rule @ 20¢ per page	\$ 74.40
31 computer disks @ 54.9¢ per disk	\$ 17.02
31 packages containing 1 disk and 12 pages @ 78¢ per package	\$ 24.18
Total one time cost to the Department	<u>\$249.19</u>

The department expects an average of fifteen credentialling packages will mailed each year thereafter for a total \$55.94 per year.

IV. ASSUMPTIONS

The Department has observed a stable number of HMOs for the past two years, with a balance of market exits and new market entrants. There is no compelling reason to expect that this situation will change significantly in the immediate future.

The Department is aware that most HMOs delegate some or all credentialling activities to companies who do nothing but provider credentialling all over the country. Currently the Department has no mechanism for tracking the number of such companies in Missouri, or the frequency with which such companies move into and out of the market. However, in the last 2 years, the Department has mailed approximately 15 credentialling packages per year to various credentialling entities.

The Department is able to take advantage of the internet to disseminate copies of the rule and the form. The cost of updating the departmental website is negligible, since website maintenance is already a sunk cost. The effort required to place updated files on the departmental website is also negligible. The Department routinely directs interested parties to the website for copies of the existing rule and form, if such parties have internet access. Therefore, the Department bears no cost for dissemination of copies of the modified rule and form via the internet.

Fiscal Note
Private Entity Cost

I. RULE NUMBER

Title: 20 – Department of Insurance

Division: 400 – Life, Annuities and Health

Chapter: 7 – Health Maintenance Organization

Type of Rulemaking: Proposed Amendment

Rule: 20 CSR 400-7.180 – Standard Form to Establish Credentials

II. SUMMARY OF FISCAL IMPACT

The proposed amendment to the existing rule and form will cut the cost of credentialling activities in the Kansas City Metropolitan area and in the counties of western Missouri by \$84,000.00 per year for the life of the rule.

III. WORKSHEET

There are currently 16 HMOs operating in the Kansas City Metropolitan Area, 15 of which are licensed in both Kansas and Missouri. HMOs in Missouri typically maintain networks of approximately 6,000 providers. Each HMO licensed to serve both Kansas and Missouri must credential their providers separately for each state.

Providers typically pay office staff to complete credentialling forms. Pay for office staff is \$7.00 per hour on average. It takes an office staff person approximately 2 hours to complete a credentialling form. Providers must complete credentialling forms for each company with which they contract. Providers in the Kansas City area currently must complete credentialling forms for both Missouri and Kansas. There are 16 HMOs currently operating in the Kansas City area, 15 of which are licensed in both Kansas and Missouri. Therefore:

HMOs in Kansas City have approximately 6,000 providers in their networks on average, and each provider must fill out 1 KS and 1 MO credentialling form	12,000
2 hours of work for office staff paid at \$7.00 per hour	\$14.00
Current cost of completing credentialling forms in Kansas City area	\$168,000
Cost after proposed rule goes into effect	\$84,000

IV. ASSUMPTIONS

The Department assumes the proposed modifications will reduce by 50% the number of forms necessary and the amount of time and money required to comply with the existing rule, which does not allow substitution of the Kansas form for the Missouri form if those forms are substantially identical.

Exhibit A

**Standardized
Credentialing
Form
To Be Used
By Health Maintenance Organizations
Licensed in the State of Missouri**

COMPLETE EACH SECTION AS THOROUGHLY AS POSSIBLE. PLEASE TYPE OR PRINT.

I. GENERAL INFORMATION

1. _____
Name (Last, First, MI, Degree/Prof. Designation-M.D./D.O./Ph.D./M.S.W./D.C./D.P.M./D.D.S./D.M.D./
A.P.N./P.A./Other)

2. _____
Home Address/Street

3. _____
City/State/ZIP

4. _____
E-Mail Address

5. _____
Other Names You May Have Used (i.e. Maiden, etc.)

6. _____
Date of Birth (Month/Day/Year)

7. _____
Place of Birth

8. _____
Social Security Number

9. Are You a U.S. Citizen? Yes _____ No _____

10. Sex: Male _____ Female _____

If Not a Citizen of the U.S., Indicate the Current Status of Your VISA:



Form Authorized by the Missouri Department of Insurance 1998
DO NOT SUBMIT COMPLETED FORM TO THE DEPARTMENT OF INSURANCE

II. OFFICE/PRACTICE INFORMATION

If More Than Two Offices, Check Here _____ and Attach a Copy of Page 3, Completing Questions 22 - 40 for Each Office.

1. Participation Status For Which You Are Applying: (Indicate Specialty)

Primary Care Specialty: _____ Subspecialty: _____ Patient Ages: _____

2. **PRIMARY OFFICE** ADDRESS/STREET/BUILDING/SUITE

3. City/State/ZIP

4. Tax ID # Owner/Corporate Name as Appears on SS4 or W-9 Form (or Full Legal Name)

5. Business Name or Name By Which the Provider Group is Generally Known

6. Office Phone Number

7. After Hours/Emergency Number or Procedure

8. Office Fax Number

9. Office E-Mail Address

10. Office Manager

11. Federal Tax ID#

12. BILLING ADDRESS/STREET (If Different From Above)

13. Billing City/State/ZIP

14. List Routine Office Hours:

Monday	Tuesday	Wednesday	Thursday	Friday

15. Evening Hours: Yes _____ No _____ If Yes, List Hours After 5:00 P.M.

Monday	Tuesday	Wednesday	Thursday	Friday

16. Weekend Hours: Yes _____ No _____

Saturday	Sunday

17(a) Lab Service in Your Office:

Yes _____ No _____

17(b)

If Yes, specify Waived, Physician Performed Microscopy, Moderately Complex, Highly Complex

18. Please check all of the following that you perform IN THIS OFFICE:

EKG _____ Office gynecology (Routine Pelvic/PAP) _____ Drawing Blood _____ Age appropriate immunizations _____
X-Rays _____ Minor Surgery _____ Tympanometry/audiometry screening _____ Flexible sigmoidoscopy _____
Laceration Repair _____ Pulmonary Function Studies _____ Asthma Treatment _____ Allergy Skin Testing _____
Osteopathic manipulation _____ IV hydration/treatment _____ Other (please specify) _____

19. (a) Languages Spoken (other than English):

(b) Are Interpreters Available? Yes _____ No _____

Health Care Provider

Staff

20. Does Your Office: (CIRCLE ONE)

(a) Have 24-Hr. Phone Coverage Service? _____

Y

N

(b) Qualify as a Minority Business Enterprise? _____

Y

N

(c) Have Capability for Electronic Billing? _____

Y

N

(d) Provide Child Care Services? _____

Y

N

(e) Meet ADA Accessibility Standards? _____

Y

N

(f) Have Public Transportation Accessibility? _____

Y

N

(g) Collaborate With an Advanced Nurse Practitioner or Physician Assistant (P.A.)? _____

Y

N

If Yes, Provide a Copy of Appropriate Collaborative Practice or P.A. Agreement(s) & the Name(s) of the Individual(s).

(h) Type of Practice: Solo _____ Single Specialty Group _____ Multispecialty Group _____ Other _____

If Group Practice, Attach a List of Other Members of Your Practice, Their Specialties, and Coverage Arrangements.

21. Do You Currently: (CIRCLE ONE)

(a) Accept New Patients Into Practice? _____

Y

N

(b) Accept New Patients By Physician Referral Only? _____

Y

N

(c) Have Medicare Certification? _____

Y

N

(d) Accept Medicare Assignment? _____

Y

N

(e) Provide Inpatient Care? _____

Y

N

(f) Accept Medicaid Assignment? _____

Y

N



II. OFFICE/PRACTICE INFORMATIONIf More Than Two Offices, Check Here ☐ and Attach a Copy of Page 3, Completing Questions 22 - 40 for Each Office.

22. Participation Status For Which You Are Applying: (Indicate Specialty)

Primary Care Specialty: _____ Subspecialty: _____ Patient Ages: _____

23. **PRIMARY OFFICE** ADDRESS/STREET/BUILDING/SUITE

24. City/State/ZIP

25. Tax ID # Owner/Corporate Name as Appears on SS4 or W-9 Form (or Full Legal Name)

26. Business Name or Name By Which the Provider Group is Generally Known

27. Office Phone Number 28. After Hours/Emergency Number or Procedure

29. Office Fax Number 30. Office E-Mail Address

31. Office Manager 32. Federal Tax ID#

33. BILLING ADDRESS/STREET (If Different From Above)

34. Billing City/State/ZIP

35. List Routine Office Hours:

Monday	Tuesday	Wednesday	Thursday	Friday

36. Evening Hours: Yes ☐ No ☐ If Yes, List Hours After 5:00 P.M.

Monday	Tuesday	Wednesday	Thursday	Friday

37. Weekend Hours: Yes ☐ No ☐

Saturday	Sunday

38. (a) Lab Service in Your Office:

Yes ☐ No ☐

38. (b)

If Yes, specify Waived, Physician Performed Microscopy, Moderately Complex, Highly Complex

39. Please check all of the following that you perform IN THIS OFFICE:

EKG ☐ Office gynecology (Routine Pelvic/PAP) ☐ Drawing Blood ☐ Age appropriate immunizations ☐
 X-Rays ☐ Minor Surgery ☐ Tympanometry/audiometry screening ☐ Flexible sigmoidoscopy ☐
 Laceration Repair ☐ Pulmonary Function Studies ☐ Asthma Treatment ☐ Allergy Skin Testing ☐
 Osteopathic manipulation ☐ IV hydration/treatment ☐ Other (please specify) _____

40. (a) Languages Spoken (other than English):

(b) Are Interpreters Available? Yes ☐ No ☐

Health Care Provider

Staff

41. Does Your Office: (CIRCLE ONE)

- | | | | | | |
|--|---|---|--|---|---|
| (a) Have 24-Hr. Phone Coverage Service? | Y | N | (b) Qualify as a Minority Business Enterprise? | Y | N |
| (c) Have Capability for Electronic Billing? | Y | N | (d) Provide Child Care Services? | Y | N |
| (e) Meet ADA Accessibility Standards? | Y | N | (f) Have Public Transportation Accessibility? | Y | N |
| (g) Collaborate With an Advanced Nurse Practitioner or Physician Assistant (P.A.)? | | | | Y | N |
- If Yes, Provide a Copy of Appropriate Collaborative Practice or P.A. Agreement(s) & the Name(s) of the Individual(s).
- (h) Type of Practice: Solo ☐ Single Specialty Group ☐ Multispecialty Group ☐ Other ☐
- If Group Practice, Attach a List of Other Members of Your Practice, Their Specialties, and Coverage Arrangements.

42. Do You Currently: (CIRCLE ONE)

- | | | | | | |
|--|---|---|---|---|---|
| (a) Accept New Patients Into Practice? | Y | N | (b) Accept New Patients By Physician Referral Only? | Y | N |
| (c) Have Medicare Certification? | Y | N | (d) Accept Medicare Assignment? | Y | N |
| (e) Provide Inpatient Care? | Y | N | (f) Accept Medicaid Assignment? | Y | N |



III A. PROFESSIONAL EDUCATION

List All Medical Schools/Institutions Attended.

Please Explain Any 30 Day or Greater Gap In Your Training. Attach Additional Sheets if Necessary.

1. _____
Medical/Professional School Name
2. _____
Address/Street
3. _____
City/State/Zip/Country
4. From: _____ To: _____
Dates Attended (month/year)
5. _____
Degree(s) Awarded
5. If You Are a Graduate of a Foreign Medical School, Are You Certified by the Education Council for Foreign Medical Graduates (ECFMG)? If Yes, Please Enclose a Copy of Your Certificate With This Application.
Yes _____ No _____

III B. POSTGRADUATE TRAINING: INTERNSHIP

1. _____
Institution Name
2. _____
Address/Street
3. _____
City/State/Zip
4. From: _____ To: _____
Dates Attended (month/year)
5. _____
Department Chair/Program Director
5. _____
Type of Internship (Rotating/Straight) - If Straight, Please List Specialty.

III C. POSTGRADUATE TRAINING: FIRST RESIDENCY

1. _____
Institution Name
2. _____
Address/Street
3. _____
City/State/Zip
4. From: _____ To: _____
Dates Attended (month/year)
5. _____
Department Chair/Program Director
5. _____
Type of Residency

III D. POSTGRADUATE TRAINING: SECOND RESIDENCY or FELLOWSHIP

1. _____
Institution Name
2. _____
Address/Street
3. _____
City/State/Zip
4. From: _____ To: _____
Dates Attended (month/year)
5. _____
Department Chair/Program Director
5. _____
Type of Residency/Fellowship



III E. POSTGRADUATE TRAINING: FELLOWSHIP/OTHER

1. Institution Name _____

2. Address/Street _____

3. City/State/Zip _____

4. From: _____ To: _____ 5. Department Chair/Program Director

Dates Attended (month/year) _____

5. Type of Fellowship/Other Explanation _____

IV A. HOSPITAL AFFILIATIONS: PRIMARY

1. CURRENT PRIMARY HOSPITAL NAME _____

2. Address/Street _____

3. City/State/Zip _____

4. Status of Privileges (INDICATE BY USING KEY) _____ 5. From: _____ To: _____

Dates Affiliated (month/year) _____

Status of Privileges Key				
1 Active	4 Associate	7 Courtesy	10 Senior Staff	13 Consulting
2 Courtesy Provisional Staff	5 Visiting	8 Admitting	11 Provisional	14 Pending
3 Active Provisional Staff	6 Temporary	9 CO-Admitting	12 Suspended	15 Other:

If CO-Admitting Status, List Other Admitting Physician(s) _____

6. Any Past or Present Restriction of Privileges? Yes _____ No _____ (IF YES, EXPLAIN) _____

IV B. HOSPITAL AFFILIATIONS: OTHER

List All Other Hospitals At Which You Have Or Have Had Privileges.

Attach Additional Pages If Necessary.

1a. HOSPITAL NAME _____

2a. Address/Street _____

3a. City/State/Zip _____

4a. Status of Privileges (INDICATE BY USING KEY) _____ 5a. From: _____ To: _____

Dates Affiliated (month/year) _____

If CO-Admitting Status, List Other Admitting Physician(s) _____

6a. Any Past or Present Restriction of Privileges? Yes _____ No _____ (IF YES, EXPLAIN) _____

1b. HOSPITAL NAME _____

2b. Address/Street _____

3b. City/State/Zip _____

4b. Status of Privileges (INDICATE BY USING KEY) _____ 5b. From: _____ To: _____

Dates Affiliated (month/year) _____

If CO-Admitting Status, List Other Admitting Physician(s) _____

6b. Any Past or Present Restriction of Privileges? Yes _____ No _____ (IF YES, EXPLAIN) _____



1c.	HOSPITAL NAME	
2c.	Address/Street	
3c.	City/State/Zip	
4c.	Status of Privileges (INDICATE BY USING KEY) If CO-Admitting Status, List Other Admitting Physician(s)	5c. From: _____ To: _____ Dates Affiliated (month/year)
6c.	Any Past or Present Restriction of Privileges? Yes _____ No _____ (IF YES, EXPLAIN)	

IV C. OTHER PRACTICE AFFILIATIONS (e.g. HMOs, PPOs, IPAs, PHOs, etc.)

Attach Additional Pages If Necessary.

1a.	Institution/Organization Name	
2a.	Address/Street	
3a.	City/State/Zip	
4a.	Type of Affiliation	5a. From: _____ To: _____ Dates Affiliated (month/year)
1b.	Institution/Organization Name	
2b.	Address/Street	
3b.	City/State/Zip	
4b.	Type of Affiliation	5b. From: _____ To: _____ Dates Affiliated (month/year)
1c.	Institution/Organization Name	
2c.	Address/Street	
3c.	City/State/Zip	
4c.	Type of Affiliation	5c. From: _____ To: _____ Dates Affiliated (month/year)
1d.	Institution/Organization Name	
2d.	Address/Street	
3d.	City/State/Zip	
4d.	Type of Affiliation	5d. From: _____ To: _____ Dates Affiliated (month/year)
1e.	Institution/Organization Name	
2e.	Address/Street	
3e.	City/State/Zip	
4e.	Type of Affiliation	5e. From: _____ To: _____ Dates Affiliated (month/year)



V. PRACTICE SPECIALTY

Attach Copy of Certificate(s). If Not Applicable to Your Profession/Specialty, Complete With N/A.

1. PRIMARY SPECIALTY / BOARD CERTIFICATION	2. Certification Number
3. Name of Board	4. Date of Certification
5. Expiration Date	6. Date of Recertification (If Applicable)
7. If Not Certified, Indicate Current Status and/or Date Intending to Sit For Boards.	
8. SECONDARY SPECIALTY / BOARD CERTIFICATION	9. Certification Number
10. Name of Board	11. Date of Certification
12. Expiration Date	13. Date of Recertification (If Applicable)
14. If Not Certified, Indicate Current Status and/or Date Intending to Sit For Boards.	

VI. WORK /PRACTICE HISTORY

List Chronologically All Employment, Including Self Employment, For the Last Ten (10) Years. For Any Gap in Chronology, Explain On a Separate Sheet. Leave No Time Period Unaccounted For Within the Last Ten Years, Excluding Previously Stated Training. Attach Additional Sheets If Necessary.

1a. NAME of PREVIOUS PRACTICE	
2a. Address/Street	
3a. City/State/Zip	4a. Phone Number
5a. Title or Professional Occupation	6a. From: To: Dates of Employment (month/year)
1b. NAME of PREVIOUS PRACTICE	
2b. Address/Street	
3b. City/State/Zip	4b. Phone Number
5b. Title or Professional Occupation	6b. From: To: Dates of Employment (month/year)
1c. NAME of PREVIOUS PRACTICE	
2c. Address/Street	
3c. City/State/Zip	4c. Phone Number
5c. Title or Professional Occupation	6c. From: To: Dates of Employment (month/year)
1d. NAME of PREVIOUS PRACTICE	
2d. Address/Street	
3d. City/State/Zip	4d. Phone Number
5d. Title or Professional Occupation	6d. From: To: Dates of Employment (month/year)



VII. PROFESSIONAL CERTIFICATES / LICENSE NUMBERS

List All States In Which You Have Held, or Currently Hold a License to Practice Your Profession. Please Attach Copies.

- | | |
|--|--|
| 1. _____
License/Certification/Registration Number; Licensing State | 2. _____
Expiration Date |
| 3. _____
Other License/Certification/Registration Number; Licensing State | 4. _____
Expiration Date |
| 5. _____
Other License/Certification/Registration Number; Licensing State | 6. _____
Expiration Date |
| 7. _____
Federal Drug Enforcement Agency (DEA) Number(s) | 8. _____
Expiration Date(s) |
| 9. _____
CDS Certification Number (BNDD Number for Missouri) | 10. _____
Expiration Date |
| 11. _____
Medicare/Unique Provide ID Number (UPIN) | 12. _____
National Provider ID Number (NPI) |
| 13. _____
State Medicaid Number(s); Licensing State(s) | 14. _____
ECFMG Number |

VIII. PROFESSIONAL LIABILITY INSURANCE INFORMATION

Please Attach a Copy of Your Current Certificate(s) or Declaration(s) of Insurance, Including HCSF for Kansas Practitioners.

- 1a. **CURRENT CARRIER NAME** _____
- 2a. _____
Address/Street
- 3a. _____
City/State/Zip
- 4a. _____
Phone Number
- 5a. _____
Policy Number
- 6a. From: _____ To: _____
Dates of Coverage (month/year)
7. Indicate Coverage Type: Claims Based _____ Occurrence Based _____
8. Policy Limits: Per Occurrence \$ _____ Aggregate \$ _____

Prior Carriers Within the Last Ten (10) Years. Attach Additional Sheets if Necessary.

- 1b. **PREVIOUS CARRIER NAME** _____
- 2b. _____
Address/Street
- 3b. _____
City/State/Zip
- 4b. _____
Phone Number
- 5b. _____
Policy Number
- 6b. From: _____ To: _____
Dates of Coverage (month/year)

- 1c. **PREVIOUS CARRIER NAME** _____
- 2c. _____
Address/Street
- 3c. _____
City/State/Zip
- 4c. _____
Phone Number
- 5c. _____
Policy Number
- 6c. From: _____ To: _____
Dates of Coverage (month/year)

- 1d. **PREVIOUS CARRIER NAME** _____
- 2d. _____
Address/Street
- 3d. _____
City/State/Zip
- 4d. _____
Phone Number
- 5d. _____
Policy Number
- 6d. From: _____ To: _____
Dates of Coverage (month/year)



IX. MALPRACTICE CLAIMS HISTORY

Are you currently or have you within the last ten (10) years been involved in a malpractice suit or other suit or claim in which your care and treatment of a patient was at issue, including pending or dismissed cases or claims settled before or during trial, or settled to avoid a lawsuit? yes _____ no _____ if yes, answer the following questions for EACH such claim. Duplicate this page as necessary.

1. _____ Patient Name	2. _____ Plaintiff Name, If Other Than Patient
3. _____ Your Involvement in the Case (Attending, Consulting, Etc.)	4. _____ Date of Occurrence (month/day/year)
5. _____ Your Status in the Case (Primary Defendant, Co-Defendant, Other)	6. _____ Date Claim Was Filed (month/day/year)
7. _____ Professional Liability Insurance Carrier Involved	
8. _____ Carrier's Phone Number	9. _____ Policy Number
10. _____ Additional Defendants	
11. Describe the Allegations Against You: _____ _____ _____	
12. Describe the Alleged Injury to the Patient: _____ _____ _____	
13. Claimant/Plaintiff Filed Suit in Court? Yes _____ No _____	
14. _____ State Court Case Number	15. _____ State
16. _____ County/Parish	17. _____ Federal Court (US District Court) Case Number
18. _____ District	19. Present Status of Claim: Open _____ Closed _____ Pending _____

If PENDING, DO NOT Complete the Rest of This Page Except For Signature and Date.

20. If Closed, Indicate the Method of Resolution:

_____ Dismissed	Date: _____
_____ Settled (With Prejudice)	Date: _____
_____ Settled (Without Prejudice)	Date: _____
_____ Judgment for Defendant(s)	Date: _____
_____ Judgment for Plaintiff(s)	Date: _____
_____ Other	Date: _____

21. _____
Settlement Amount Paid On Your Behalf (If Any)

22. Additional Information/Explanation:

(e.g. Patient condition and diagnosis at time of incident, description of treatment, subsequent patient outcome, etc.)

Signature _____

Date (month/day/year) _____



X. ADDITIONAL INFORMATION

Please Answer the Following Questions By Circling "Y" (Yes), "N" (No), or "N/A" (Not Applicable).

Please Provide an Explanation For Any "Yes" Responses on a Separate Page.

1. Have any of your board certifications ever been suspended, revoked, not renewed, denied renewal, voluntarily or involuntarily surrendered?	Y	N	N/A
2. Have you ever been named as a defendant in any criminal case?	Y	N	N/A
3. Have you ever been convicted, pled guilty, or pled nolo contendere to any felony, any offense reasonably related to your qualifications, functions, or duties as a medical professional, or any offense an essential element of which is fraud, dishonesty, or an act of violence?	Y	N	N/A
4. Has your malpractice insurance ever been canceled, suspended, not renewed, special rated, or restricted by the exclusion of any specific procedures from coverage?	Y	N	N/A
5. Have you ever been denied participation, suspended from, or denied renewal from the Medicare or Medicaid program, or had participation status modified?	Y	N	N/A
6. Has your authority to practice in any state been suspended, revoked, voluntarily or involuntarily surrendered, been subject to a consent or stipulation order, not renewed, denied renewal, or has probation ever been invoked?	Y	N	N/A
7. Has your federal or state controlled substance license ever been suspended, revoked, voluntarily or involuntarily surrendered, restricted, not renewed, denied renewal, or has probation ever been invoked?	Y	N	N/A
8. Have your privileges at any hospital or other health care setting ever been suspended, revoked, voluntarily or involuntarily surrendered, reduced, restricted, not renewed, denied renewal, or has probation ever been invoked?	Y	N	N/A
9. Within the last five years, have you ever been a participating provider of another HMO, PPO, PHO, or MSO, etc. with which you are not affiliated at this time?	Y	N	N/A
10. Have you ever received sanctions from a regulatory agency (e.g., CLIA, OSHA, etc.)?	Y	N	N/A
11. Has any information on you ever been reported to the National Practitioner Data Bank?	Y	N	N/A
12. Are you currently engaged in the illegal use of drugs? ("Illegal use of drugs" means the use of controlled substances obtained illegally, as well as the use of controlled substances which are not obtained pursuant to a valid prescription or not taken in accordance with the direction of a licensed health care practitioner. "Currently" does not mean on the day of or even the weeks preceding the completion of this application. Rather, it means recently enough so that the illegal use may have an impact on one's ability to practice.)	Y	N	N/A
13. Within the last five years, have you ever been reprimanded or disciplined in any manner by any state licensing authority or other professional board or peer review committee for conduct related to the use of alcohol or the use of any drug?	Y	N	N/A
14. Have you discontinued practice for any reason (other than for routine vacation) for one month (30 days) or more?	Y	N	N/A



X. ADDITIONAL INFORMATION (continued)

15. Do you or a member of your family own, have an investment in, or otherwise have a business interest in any clinical laboratory, diagnostic testing center, hospital ambulatory surgery center, or other business dealing with the provision of ancillary health services, equipment, or supplies?

Y N N/A

If so, please provide the following information, attaching additional copies as necessary.

(a) _____	(b) _____
Organization Name	Type of Organization
(c) _____	
Address/Street	
(d) _____	
City/State/Zip	
(e) _____	(f) _____
Phone Number	Federal Tax ID#
(g) _____	(h) _____
Percent of Business Owned/Invested by Applicant	Nature of Business Interest (owner, partner, investor)

XI. ADDITIONAL DOCUMENTATION / ATTACHMENTS**Please Attach Copies of the Following Documents (If Applicable):**

1. W9 Form For Each Entity the Applicant Expects Will Receive Payments or Reimbursements.
2. Collaborative Practice and/or Physician Assistant Agreement(s).
3. A List of Other Members of Your Practice, Their Specialties, and Coverage Arrangements.
4. Education Council for Foreign Medical Graduates (ECFMG) Certificate.
5. Board Certification Certificate(s).
6. Copies of Professional Diplomas, Internship, Residency, and Fellowship Certificates, As Applicable.
7. Current State Licenses (For All States Practicing).
8. Federal DEA Certificate.
9. State Controlled Substance Certificate(s) For All States Practicing (i.e. BNDD for Missouri).
10. Current Certificate(s) or Declaration(s) of Insurance, Including HCSF for Kansas Practitioners.
11. Curriculum Vitae (If Required By Health Carrier).
12. Professional References (If Required By Health Carrier).
13. Signed Copy of an Affirmation and Release of Information Document (Attestation Page) As Stipulated By the Health Carrier to Which the Applicant is Seeking to Become a Participating Provider.
14. Attach a copy of all postgraduate (CME) activities which you have attended and for which you have received credit in the past 2 years.
15. Include a list of societies of which you are currently a member.
16. Include copies of United States Military discharge papers/DD214 if discharged from U.S. Military, or status if currently serving.
17. Include a copy of certificate showing CLIA waiver number and identification number.
18. Provide a statement regarding the reasons for any inability to perform the essential functions, with or without accommodations, for the practice in which you are seeking to become a participating provider.



This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order or rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety-day period during which an agency shall file its Order of Rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the Proposed Rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 105—Credit Union Commission Chapter 3—Credit Union Membership and Chartering

ORDER OF RULEMAKING

By the authority vested in the Credit Union Commission under section 370.063, RSMo Supp. 1999, the commission adopts a rule as follows:

4 CSR 105-3.040 Exemptions from Limitations on Groups is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2000 (25 MoReg 360). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Credit Union Commission received one comment letter pertaining to this proposal during the specified comment period. This comment letter was from a credit union trade association.

COMMENT: The credit union trade association wrote, “. . . we agree with the criteria set for exemptions for groups over 3,000. However, we believe the Commission could have taken a more liberal view of the law with regard to community areas.” The commenter went on to express the belief that exemptions, for community areas, should only be required for community areas with

populations greater than 300,000, and provided support for this belief.

RESPONSE: The Credit Union Commission believes that it has properly interpreted section 370.081, RSMo Supp. 1999, as it is written. The Commission continues to strive to expedite the application process, and this rule is designed to serve that purpose. No change was made to this proposed rule as a result of this comment.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 193—Interior Design Council Chapter 1—General Rules

ORDER OF RULEMAKING

By the authority vested in the Interior Design Council under sections 324.400 and 324.412, RSMo Supp. 1999, the board adopts a rule as follows:

4 CSR 193-1.010 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on April 3, 2000 (25 MoReg 761). The sections with changes are reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Interior Design Council received two (2) comments on the proposed rule.

COMMENT: The Interior Design Council reviewed the definition of NCIDQ in light of comments received in regard to the use of the word “practice” and in order to be consistent throughout the rules in defining terms.

RESPONSE AND EXPLANATION OF CHANGE: The council revised the definition of NCIDQ in section (3) of the rule.

COMMENT: AIA Missouri and Dan Mitchell of Mackey Mitchell Associates commented on the council's use of the term “license, licensure, licensee” or any other form of the word “license” either alone or in combination with other words and requested those words be replaced with the appropriate tense of the word “register.”

RESPONSE AND EXPLANATION OF CHANGE: The Interior Design Council concurred with the comments and changed reference to the word “license” or any tense of the word “license” to the appropriate tense of the word “register” in sections (3) and (4).

4 CSR 193-1.010 Definitions

(3) “NCIDQ”—National Council for Interior Design Qualification.

(4) “Registrant”—An individual registered as a “registered commercial interior designer” pursuant to sections 324.400 through 324.439, RSMo.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 193—Interior Design Council Chapter 1—General Rules

ORDER OF RULEMAKING

By the authority vested in the Interior Design Council under sections 324.406, 324.412 and 324.436, RSMo Supp. 1999, the board adopts a rule as follows:

4 CSR 193-1.020 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on April 3, 2000 (25 MoReg 761-764). The sections with changes are reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Interior Design Council received three (3) comments on the proposed rule.

COMMENT: Dan Mitchell of Mackey Mitchell Associates commented on the use of the wording regulation of the practice of registered commercial interior designers. Mr. Mitchell stated that this language would be appropriate when regulating the practice of a profession rather than regulating the use of a restricted title, as in the case with interior designers.

RESPONSE AND EXPLANATION OF CHANGE: The Interior Design Council agreed with the comments and changed the wording regulation of practice of registered commercial interior designers to regulation of the use of the title of registered commercial interior designers in the text of the rule.

COMMENT: AIA Missouri and Dan Mitchell of Mackey Mitchell Associates commented on the council's use of the term "license, licensure, licensee" or any other form of the word "license" either alone or in combination with other words and requested those words be replaced with the appropriate tense of the word "register."

RESPONSE AND EXPLANATION OF CHANGE: The Interior Design Council agreed with the comments and changed reference to the word "license" or any tense of the word "license" to the appropriate tense of the word "register" in sections (1) and (4).

4 CSR 193-1.020 General Organization

(1) The division and the council, in collaboration with each other, will, for the health, safety and welfare of the inhabitants of this state, regulate the use of the title "registered commercial interior designers"; protect against the unlawful use of the title "registered commercial interior designers"; and implement and sustain a system for the regulation of the use of the title "registered commercial interior designers."

(4) Council meetings will consist of performing the business of regulating the use of the title "registered commercial interior designer" including, but not limited to, establishing requirements for issuance and renewal of registration; reviewing applications; interviewing applicants; investigating complaints and inquiries; reviewing and approving continued competency requirements; and determining disciplinary actions.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT Division 193—Interior Design Council Chapter 1—General Rules

ORDER OF RULEMAKING

By the authority vested in the Interior Design Council under section 324.412, RSMo Supp. 1999, the board adopts a rule as follows:

4 CSR 193-1.030 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on April 3, 2000 (25 MoReg 765-768). The sections with changes are reprinted

here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Interior Design Council received two (2) comments on the proposed rule.

COMMENT: AIA Missouri and Dan Mitchell of Mackey Mitchell Associates commented on the council's use of the term "license, licensure, licensee" or any other form of the word "license" either alone or in combination with other words and requested those words be replaced with the appropriate tense of the word "register."

RESPONSE AND EXPLANATION OF CHANGE: The Interior Design Council agreed with the comments and changed reference to the word "license" or any tense of the word "license" to the appropriate tense of the word "register" in sections (1)-(3). The council also suggests that the fiscal note be read with this in mind.

4 CSR 193-1.030 Name and Address Changes

(1) A registrant shall not display or present to the public a certificate of registration that does not bear the current legal name and address of that individual.

(2) A registrant whose name, address, and/or telephone number has changed shall within thirty (30) days of the change:

(A) Notify the division in writing of the change and provide a copy of the appropriate document indicating a change of name;

(B) Request from the division a new certificate of registration bearing the individual's new legal name and/or address if applicable; and

(C) Return the current certificate of registration bearing the former name or address, if applicable.

(3) A registrant may request a replacement wall-hanging certificate of registration by paying the wall-hanging replacement fee.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT Division 193—Interior Design Council Chapter 2—Registration Requirements

ORDER OF RULEMAKING

By the authority vested in the Interior Design Council under sections 324.409, 324.412 and 324.415, RSMo Supp. 1999, the board adopts a rule as follows:

4 CSR 193-2.010 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on April 3, 2000 (25 MoReg 769-772). The sections with changes are reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Interior Design Council received two (2) comments on the proposed rule.

COMMENT: AIA Missouri and Dan Mitchell of Mackey Mitchell Associates commented on the council's use of the term "license, licensure, licensee" or any other form of the word "license" either alone or in combination with other words and requested those words be replaced with the appropriate tense of the word "register."

RESPONSE AND EXPLANATION OF CHANGE: The Interior Design Council agreed with the comments and changed reference to the word "license" or any tense of the word "license" to the appropriate tense of the word "register" in the chapter of the rule,

the original purpose statement and in section (1). The council also suggests that the fiscal notes be read with this in mind.

Chapter 2—Registration Requirements

4 CSR 193-2.010 Application

PURPOSE: This rule is to prescribe the regulations necessary to administer the initial application procedures of section 324.415, RSMo for “registered commercial interior designers.”

(1) An applicant may apply for registration as a “registered commercial interior designer” by submitting the required application fee and the following information and documents to the council:

(B) Official transcripts from the accredited institutions attended by applicant showing completion of the registration education requirements, if applicable;

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 193—Interior Design Council Chapter 2—Registration Requirements

ORDER OF RULEMAKING

By the authority vested in the Interior Design Council under sections 324.409 and 324.412, RSMo Supp. 1999, the board adopts a rule as follows:

4 CSR 193-2.020 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on April 3, 2000 (25 MoReg 773). The changed chapter title is reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Interior Design Council received two (2) comments on the proposed rule.

COMMENT: AIA Missouri and Dan Mitchell of Mackey Mitchell Associates commented on the council’s use of the term “license, licensure, licensee” or any other form of the word “license” either alone or in combination with other words and requested those words be replaced with the appropriate tense of the word “register.”

RESPONSE AND EXPLANATION OF CHANGE: The Interior Design Council agreed with the comments and changed reference to the word “license” or any tense of the word “license” to the appropriate tense of the word “register” in the chapter of the rule.

Chapter 2—Registration Requirements

4 CSR 193-2.020 Qualifying Education

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 193—Interior Design Council Chapter 2—Registration Requirements

ORDER OF RULEMAKING

By the authority vested in the Interior Design Council under sections 324.409 and 324.412, RSMo Supp. 1999, the board adopts a rule as follows:

4 CSR 193-2.030 Qualifying Experience is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on April 3, 2000 (25 MoReg 773). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Interior Design Council did not receive any comments on the proposed rule. However, the Interior Design Council reviewed the proposed rule in light of comments received in regard to the use of the word “practice” and in order to be consistent throughout the rules in defining terms. The council did not change the word “practice” in this section since it related to the experience of an interior designer and not licensure.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 193—Interior Design Council Chapter 2—Registration Requirements

ORDER OF RULEMAKING

By the authority vested in the Interior Design Council under sections 324.409, 324.412, 324.415 and 324.421, RSMo Supp. 1999, the board adopts a rule as follows:

4 CSR 193-2.040 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on April 3, 2000 (25 MoReg 773-777). The sections with changes are reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Interior Design Council received two (2) comments on the proposed rule.

COMMENT: AIA Missouri and Dan Mitchell of Mackey Mitchell Associates commented on the council’s use of the term “license, licensure, licensee” or any other form of the word “license” either alone or in combination with other words and requested those words be replaced with the appropriate tense of the word “register.”

RESPONSE AND EXPLANATION OF CHANGE: The Interior Design Council agreed with the comments and changed reference to the word “license” or any tense of the word “license” to the appropriate tense of the word “register” in the chapter of the rule and the original purpose statement. The council also suggests that the fiscal note be read with this in mind.

Chapter 2—Registration Requirements

4 CSR 193-2.040 Reciprocity/Waiver of Examination

PURPOSE: This rule is to prescribe the regulations necessary to administer the application procedures for those applying for registration as “registered commercial interior designers” under section 324.421, RSMo.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 193—Interior Design Council Chapter 3—Registration and Renewal

ORDER OF RULEMAKING

By the authority vested in the Interior Design Council under sections 324.409 and 324.412, RSMo Supp. 1999, the board adopts a rule as follows:

4 CSR 193-3.010 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on April 3, 2000 (25 MoReg 778). The sections with changes are reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Interior Design Council received two (2) comments on the proposed rule.

COMMENT: AIA Missouri and Dan Mitchell of Mackey Mitchell Associates commented on the council's use of the term "license, licensure, licensee" or any other form of the word "license" either alone or in combination with other words and requested those words be replaced with the appropriate tense of the word "register."

RESPONSE AND EXPLANATION OF CHANGE: The Interior Design Council agreed with the comments and changed reference to the word "license" or any tense of the word "license" to the appropriate tense of the word "register" in the chapter of the rule, original purpose statement and sections (1) and (2).

Chapter 3—Registration and Renewal

4 CSR 193-3.010 Original Registration—Form and Content

PURPOSE: *This rule describes the form and content of the certificate of registration issued.*

(1) After verification by the council that an applicant has complied with the requirements for registration as a "registered commercial interior designer" and has paid the required fee, the council shall issue to each registrant a certificate of registration in a form as shall be prescribed by the division. The certificate of registration shall show the name of the registrant and the registration number assigned by the division. Each certificate of registration shall have imprinted on it the state seal and, in addition, shall contain other matters as shall be prescribed by the council/division.

(2) Registration documents, application and renewal materials and pocket cards shall remain the property of the state and upon any suspension, revocation or denial of a registration, the individual holding the related certificate of registration documents and pocket card shall return them to the council within ten (10) days of notification by the council.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT Division 193—Interior Design Council Chapter 3—Registration and Renewal

ORDER OF RULEMAKING

By the authority vested in the Interior Design Council under sections 324.412 and 324.418, RSMo Supp. 1999, the board adopts a rule as follows:

4 CSR 193-3.020 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on April 3, 2000 (25 MoReg 778–781). The sections with changes are reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Interior Design Council received two (2) comments on the proposed rule.

COMMENT: AIA Missouri and Dan Mitchell of Mackey Mitchell Associates commented on the council's use of the term "license, licensure, licensee" or any other form of the word "license" either alone or in combination with other words and requested those words be replaced with the appropriate tense of the word "register."

RESPONSE AND EXPLANATION OF CHANGE: The Interior Design Council agreed with the comments and changed reference to the word "license" or any tense of the word "license" to the appropriate tense of the word "register" in the chapter of the rule and sections (1)–(5), (7) and (8). The council also suggests that the fiscal note be read with this in mind.

Chapter 3—Registration and Renewal

4 CSR 193-3.020 Renewal

(1) The registration renewal date for registered commercial interior designers shall be August 31 of each even-numbered year.

(2) A registrant shall submit to the council on or before the registration renewal date the following:

(A) An application for renewal on a form furnished to the applicant by the division;

(B) The required fee;

(C) Proof of current completion of continuing education in commercial interior design or architecture as required by section 324.418.2, RSMo, and 4 CSR 193-5.010.

(3) Any registrant who fails to complete continuing education requirements will not be eligible for registration renewal.

(4) The registration of a "registered commercial interior designer," which is not renewed within three (3) months after the renewal date, shall be suspended automatically.

(5) The registrant has the right to reinstate the suspended certificate of registration within nine (9) months of the date of suspension. In order to reinstate the suspended registration, the registrant must submit the required reinstatement fee, as well as the other items set forth in section (2) of this rule.

(7) Any registration suspended and not reinstated within nine (9) months of the suspension date shall expire and be void. Such individuals shall be required to reapply for registration under section 324.415, RSMo, and Chapter 2 of these rules. Any person whose registration has expired may, upon demonstration of current qualifications and payment of required fees, be reregistered or reauthorized under the person's original registration number.

(8) The council should mail to each registrant, at least sixty (60) days prior to the registration renewal date, a notice of the expiration and an application for renewal of registration to the registrant at the registrant's address on file with the council. Failure of the council to mail, or the registrant to receive the notice and application for renewal shall not excuse the registrant from the requirements for renewal required by law or these rules.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT Division 193—Interior Design Council Chapter 4—Fees

ORDER OF RULEMAKING

By the authority vested in the Interior Design Council under sections 324.409, 324.412, 324.415, 324.418, 324.421 and 324.424, RSMo Supp. 1999, the board adopts a rule as follows:

4 CSR 193-4.010 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on April 3, 2000 (25 MoReg 782). The sections with changes are reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Interior Design Council received two (2) comments on the proposed rule.

COMMENT: AIA Missouri and Dan Mitchell of Mackey Mitchell Associates commented on the council's use of the term "license, licensure, licensee" or any other form of the word "license" either alone or in combination with other words and requested those words be replaced with the appropriate tense of the word "register."

RESPONSE AND EXPLANATION OF CHANGE: The Interior Design Council agreed with the comments and changed reference to the word "license" or any tense of the word "license" to the appropriate tense of the word "register" in sections (2), (4) and (5).

4 CSR 193-4.010 Fees

(2) No fee will be refunded should any certificate of registration be surrendered, suspended or revoked during the term for which the certificate of registration is issued.

(4) The council may prorate the initial registration fee in order to put all registrants on a biennial renewal.

(5) The following miscellaneous fees for certain services rendered by the Interior Design Council are established as follows:

- | | |
|--|---------|
| (A) Duplicate Certificate of Registration Fee | \$10.00 |
| (B) Replacement Wall-Hanging Certificate of Registration Fee | \$15.00 |

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT Division 193—Interior Design Council Chapter 5—Continuing Education

ORDER OF RULEMAKING

By the authority vested in the Interior Design Council under sections 324.412 and 324.418, RSMo Supp. 1999, the board adopts a rule as follows:

4 CSR 193-5.010 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on April 3, 2000 (25 MoReg 782–785). The sections with changes are reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Interior Design Council received two (2) comments on the proposed rule.

COMMENT: The Interior Design Council reviewed the proposed rule in light of comments received in regard to the use of the word "practice."

RESPONSE AND EXPLANATION OF CHANGE: The council revised the original purpose statement of the rule in order to be consistent throughout the rules.

COMMENT: AIA Missouri and Dan Mitchell of Mackey Mitchell Associates commented on the council's use of the term "license,

licensure, licensee" or any other form of the word "license" either alone or in combination with other words and requested those words be replaced with the appropriate tense of the word "register."

RESPONSE AND EXPLANATION OF CHANGE: The Interior Design Council agreed with the comments and changed reference to the word "license" or any tense of the word "license" to the appropriate tense of the word "register" in the original purpose statement and in sections (3) and (5). The council also suggests that the fiscal note be read with this in mind.

4 CSR 193-5.010 Requirements

PURPOSE: This rule details the continuing education that will be required for renewal of registration as a "registered commercial interior designer."

(3) A registrant shall provide verification of completion of continuing education during the prior registration period by affidavit on a form provided by the council at the time of renewal. The affidavit must contain a truthful statement of courses approved by the council and taken by the registrant. Registrants shall maintain their evidence of course participation or course completion certificates/transcripts for a period of five (5) years from the date the registrant's application for renewal and affidavit of continuing education was submitted to the council. Such evidence must be submitted upon request by the council.

(5) Hours obtained after the registration renewal date in order to complete the continuing education requirement for the prior renewal period may not be applied to the registration period within which they were obtained.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT Division 193—Interior Design Council Chapter 6—Complaint Handling and Disposition

ORDER OF RULEMAKING

By the authority vested in the Interior Design Council under sections 324.412, 324.436 and 620.010.15(6), RSMo Supp. 1999, the board adopts a rule as follows:

4 CSR 193-6.010 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on April 3, 2000 (25 MoReg 786–788). The sections with changes are reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Interior Design Council received two (2) comments on the proposed rule.

COMMENT: AIA Missouri and Dan Mitchell of Mackey Mitchell Associates commented on the council's use of the term "license, licensure, licensee" or any other form of the word "license" either alone or in combination with other words and requested those words be replaced with the appropriate tense of the word "register."

RESPONSE AND EXPLANATION OF CHANGE: The Interior Design Council agreed with the comments and changed reference to the word "license" or any tense of the word "license" to the appropriate tense of the word "register" in sections (1), (6) and (7).

4 CSR 193-6.010 Public Complaint Handling and Disposition Procedure

(1) The Division of Professional Registration/Interior Design Council will receive and process each complaint made against any registrant, applicant or unregistered individual or entity, when the complaint alleges certain acts or practices that may constitute one (1) or more violations of the provisions of sections 324.240 through 324.439, RSMo. Any member of the public or the profession, or any federal, state or local official, may make and file a complaint with the Interior Design Council. Complaints will be received from sources both within and without Missouri and processed in the same manner as those originating within Missouri. No member of the Interior Design Council may file a complaint with the council while serving in that capacity, unless that member is excused from further deliberation or activity concerning the matters alleged within that complaint. The executive director or any division staff member may file a complaint pursuant to this rule in the same manner as any member of the public.

(6) This rule shall not be deemed to limit the council's authority to file a complaint with the Administrative Hearing Commission charging a registrant with any actionable conduct or violation. The complaint filed by the council need not be limited to the acts charged in a public complaint.

(7) The division/council interprets this rule, which is required by law, to exist for the benefit of those members of the public who submit complaints to the division/council. This rule does not create any cause of action for registrants against those whom the division has instituted or may institute administrative or judicial proceedings concerning possible violations of the provisions of sections 324.240–324.439, RSMo.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 193—Interior Design Council
Chapter 6—Complaint Handling and Disposition**

ORDER OF RULEMAKING

By the authority vested in the Interior Design Council under sections 324.412 and 324.436, RSMo Supp. 1999, the board adopts a rule as follows:

4 CSR 193-6.020 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on April 3, 2000 (25 MoReg 789–791). The section with changes is reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Interior Design Council received two (2) comments on the proposed rule.

COMMENT: AIA Missouri and Dan Mitchell of Mackey Mitchell Associates commented on the council's use of the term "license, licensure, licensee" or any other form of the word "license" either alone or in combination with other words and requested those words be replaced with the appropriate tense of the word "register."

RESPONSE AND EXPLANATION OF CHANGE: The Interior Design Council agreed with the comments and changed reference to the word "license" or any tense of the word "license" to the appropriate tense of the word "register" in section (1).

4 CSR 193-6.020 Investigation

(1) Upon receipt of a complaint in proper form, the division/council may investigate the actions of the registrant or applicant against whom the complaint is made. In conducting an investigation, the division/council, in its discretion, may request the registrant or applicant under investigation to answer the charges made against him/her in writing and to produce relevant documentary evidence and may request him/her to appear before it.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 193—Interior Design Council
Chapter 6—Complaint Handling and Disposition**

ORDER OF RULEMAKING

By the authority vested in the Interior Design Council under sections 324.412 and 324.436, RSMo Supp. 1999, the board adopts a rule as follows:

4 CSR 193-6.030 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on April 3, 2000 (25 MoReg 792–794). The sections with changes are reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Interior Design Council received two (2) comments on the proposed rule.

COMMENT: AIA Missouri and Dan Mitchell of Mackey Mitchell Associates commented on the council's use of the term "license, licensure, licensee" or any other form of the word "license" either alone or in combination with other words and requested those words be replaced with the appropriate tense of the word "register."

RESPONSE AND EXPLANATION OF CHANGE: The Interior Design Council agreed with the comments and changed reference to the word "license" or any tense of the word "license" to the appropriate tense of the word "register" in the original purpose statement and sections (1) and (2). The council also suggests that the fiscal note be read with this in mind.

4 CSR 193-6.030 Discipline

PURPOSE: This rule establishes procedures for the discipline of a registrant.

(1) Upon final ruling by the Administrative Hearing Commission that the acts of a registrant constitute a violation of the law or these rules, the council shall hold a hearing to determine the form of discipline to be imposed on the registrant, unless the registrant and the council can agree on the type of discipline.

(2) The council may require a registrant who has been disciplined to meet and perform certain conditions before reinstating an unrestricted registration to the person.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 30—Office of the Director
Chapter 9—Operation Payback**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 650.020, RSMo Supp. 1999, the director adopts a rule as follows:

11 CSR 30-9.010 Definition is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on April 3, 2000 (25 MoReg 852). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 30—Office of the Director
Chapter 9—Operation Payback**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 650.020, RSMo Supp. 1999, the director adopts a rule as follows:

11 CSR 30-9.020 Participation Eligibility Requirements is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on April 3, 2000 (25 MoReg 852). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 30—Office of the Director
Chapter 9—Operation Payback**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 650.020, RSMo Supp. 1999, the director adopts a rule as follows:

11 CSR 30-9.030 Reimbursement Criteria is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on April 3, 2000 (25 MoReg 852). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 30—Office of the Director
Chapter 9—Operation Payback**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 650.020, RSMo Supp. 1999, the director adopts a rule as follows:

11 CSR 30-9.040 Operation Payback Restrictions is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on April 3, 2000 (25 MoReg 853). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 30—Office of the Director
Chapter 9—Operation Payback**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 650.020, RSMo Supp. 1999, the director adopts a rule as follows:

11 CSR 30-9.050 Organization Disqualification is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on April 3, 2000 (25 MoReg 853). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training Program
Chapter 3—Certification of Bailiffs, Peace Officers, and Reserve Officers**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under sections 590.115 and 590.140, RSMo Supp. 1999, the director amends a rule as follows:

11 CSR 75-3.030 Requirements for and Terms of Certification is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 3, 2000 (25 MoReg 854-855). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police Commissioners
Chapter 2—Private Security**

ORDER OF RULEMAKING

By the authority vested in the Board of Police Commissioners under section 84.720, RSMo 1994, the board rescinds a rule as follows:

17 CSR 10-2.010 Regulation and Licensing of Those Providing Private Security Services is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2000 (25 MoReg 393). No changes have been made to the proposed rescission, therefore it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police
Commissioners
Chapter 2—Private Security**

ORDER OF RULEMAKING

By the authority vested in the Board of Police Commissioners under section 84.720, RSMo 1994, the board adopts a rule as follows:

17 CSR 10-2.010 Regulation and Licensing In General is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2000 (25 MoReg 393–399). No changes were made to the text of the proposed rule, therefore it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received comments on this proposed rule.

COMMENT: The Kansas Association of Private Investigators submitted three (3) comments with several subsections in connection with this proposed rule. They argued that the rule violated certain federal statutes, argued that privileged communications might be released, argued that privacy concerns might be implicated in the release of records, argued that certain provisions were contrary to current case law, and argued that police officers should not be exempt from licensure.

RESPONSE: Board considered these comments and decided to make no changes.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police
Commissioners
Chapter 2—Private Security**

ORDER OF RULEMAKING

By the authority vested in the Board of Police Commissioners under section 84.720, RSMo 1994, the board rescinds a rule as follows:

17 CSR 10-2.020 Application for a License is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2000 (25 MoReg 400). No changes have been made to the proposed rescission, therefore it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police
Commissioners
Chapter 2—Private Security**

ORDER OF RULEMAKING

By the authority vested in the Board of Police Commissioners under section 84.720, RSMo 1994, the board adopts a rule as follows:

17 CSR 10-2.020 Application for a License is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2000 (25 MoReg 400–403). No changes have been made to the text of the proposed rule, therefore it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received comments on this proposed rule.

COMMENT: The Kansas Association of Private Investigators submitted two (2) comments in connection with this proposed rule. They argued that two licenses should not be required for self-employed individuals and that the reporting of vehicle information is impractical for certain licensees.

RESPONSE: Board considered these comments and decided to make no changes.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police
Commissioners
Chapter 2—Private Security**

ORDER OF RULEMAKING

By the authority vested in the Board of Police Commissioners under section 84.720, RSMo 1994, the board rescinds a rule as follows:

17 CSR 10-2.030 Classifications of Licenses is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2000 (25 MoReg 404). No changes have been made to the proposed rescission, therefore it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police
Commissioners
Chapter 2—Private Security**

ORDER OF RULEMAKING

By the authority vested in the Board of Police Commissioners under section 84.720, RSMo 1994, the board adopts a rule as follows:

17 CSR 10-2.030 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15,

2000 (25 MoReg 404-405). Those sections with changes are reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received comments on this proposed rule.

COMMENT: The Kansas Association of Private Investigators submitted three (3) comments with several subsections in connection with this proposed rule. They argued that both company and individual licenses should be reclassified, that private investigators be allowed to hold a Class B license and that the requirement for dual licenses be eliminated.

RESPONSE AND EXPLANATION OF CHANGE: Board considered these comments and decided to create a new classification as (1)(B)4. which would allow private investigators to hold a Class B license.

17 CSR 10-2.030 Classification of Licenses

(1) Individual licenses to private security services granted pursuant to this chapter shall be classified as either Class A licenses or Class B licenses, and shall be issued pursuant to the authority conveyed upon the licensee.

(B) Class B licenses shall not grant the authority for the licensees to detain or apprehend suspects. An applicant shall designate the particular subclassification listed in this subsection when applying for a Class B license. An applicant must make a separate application when applying for a Class B license designating more than one (1) subclassification of authority. The license identification issued by board shall designate which subcategory of a Class B license has been granted.

1. Guard—A guard is an unarmed uniformed position with primary responsibilities being to watch and report on/or in a specific premises or designated area, to escort or guide, to control crowds, give directions, control access for the purposes of offering assistance for the safety of others. The guard has no authority to detain or apprehend a person suspected of committing a crime.

2. Armed courier—An armed, uniformed position primarily responsible for the protection and transport of money and other valuables from one (1) designated area to another. This licensee has the authority to conduct private security services on the public streets of city, but this authority is limited to protecting property from activities which would impact the property protected. The courier must meet the qualifications relating to authority to carry a firearm, as referred to elsewhere in this chapter.

3. Special event—A special category Class B license may be granted for single date events. The license may require only criminal records checks and certification by the applicant that s/he understands the limits of his/her authority.

4. Private investigator—An armed or unarmed nonuniformed position responsible for proactive, aggressive investigations of all illegal activities which impact the person or property they are hired to protect. The qualification for this classification is set out in Title 17 CSR 10-2.050(1)(C).

Title 17—BOARDS OF POLICE COMMISSIONERS Division 10—Kansas City Board of Police Commissioners Chapter 2—Private Security

ORDER OF RULEMAKING

By the authority vested in the Board of Police Commissioners under section 84.720, RSMo 1994, the board rescinds a rule as follows:

17 CSR 10-2.040 Application and Licensing Fee is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2000 (25 MoReg 405). No changes have been made to the proposed rescission, therefore it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 17—BOARDS OF POLICE COMMISSIONERS Division 10—Kansas City Board of Police Commissioners Chapter 2—Private Security

ORDER OF RULEMAKING

By the authority vested in the Board of Police Commissioners under section 84.720, RSMo 1994, the board adopts a rule as follows:

17 CSR 10-2.040 Application Forms and Licensing Fees is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2000 (25 MoReg 405-412). No changes have been made to the text of the proposed rule, therefore it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received comments on this proposed rule.

COMMENT: The Kansas Association of Private Investigators submitted one (1) comment with several subsections in connection with this proposed rule. They argued that a number of fees should be calculated in a different manner, were too high and were duplicative.

RESPONSE: The board considered these comments and decided to make no changes.

Title 17—BOARDS OF POLICE COMMISSIONERS Division 10—Kansas City Board of Police Commissioners Chapter 2—Private Security

ORDER OF RULEMAKING

By the authority vested in the Board of Police Commissioners under section 84.720, RSMo 1994, the board rescinds a rule as follows:

17 CSR 10-2.050 Testing Requirements and Qualification Standards is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2000 (25 MoReg 413). No changes have been made to the proposed rescission, therefore it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police
Commissioners
Chapter 2—Private Security
ORDER OF RULEMAKING

By the authority vested in the Board of Police Commissioners under section 84.720, RSMo 1994, the board adopts a rule as follows:

17 CSR 10-2.050 Testing Requirements and Qualification Standards is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2000 (25 MoReg 413-417). No changes have been made to the text of the proposed rule, therefore it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENT: The board received comments on this proposed rule.

COMMENT: The Kansas Association of Private Investigators submitted four (4) comments in connection with this proposed rule. They argued that the rule unfairly required private officers to meet the same standards as police officers for firearms qualification, that a Class B license should be an option for private investigators, that in-house training of inexperienced private investigators should be allowed and that the requirement that private officers meet police physical standards violated the Americans With Disabilities Act.

RESPONSE: The board considered these comments and made a change in 17 CSR 10-2.030 by creating a Class B private investigator license, but decided to make no changes to this rule.

Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police
Commissioners
Chapter 2—Private Security
ORDER OF RULEMAKING

By the authority vested in the Board of Police Commissioners under section 84.720, RSMo 1994, the board rescinds a rule as follows:

17 CSR 10-2.055 Firearms Qualification is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2000 (25 MoReg 418). No changes have been made to the proposed rescission, therefore it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police
Commissioners
Chapter 2—Private Security
ORDER OF RULEMAKING

By the authority vested in the Board of Police Commissioners under section 84.720, RSMo 1994, the board adopts a rule as follows:

17 CSR 10-2.055 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2000 (25 MoReg 418-422). Changes have been made to the text of the proposed rule, and the sections changed are reprinted below. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received comments on this proposed rule.

COMMENT: The Kansas Association of Private Investigators submitted two (2) comments in connection with this proposed rule and one (1) comment dealing with 17 CSR 10-2.050 which applies to this rule as well. They argued that the requirement that private officers meet police physical standards violated the Americans With Disabilities Act and that "striker action firearms" should be included in the list of approved firearms. In addition, the language found in 17 CSR 10-2.050(1) requiring private officers to meet the same firearms qualification standard as police officers (which the Kansas Association of Private Investigators found objectionable) also appears in this rule in 17 CSR 10-2.055(2).

RESPONSE AND EXPLANATION OF CHANGE: The board considered these comments and made a change in 17 CSR 10-2.055 by adding language to (1) to allow the carrying of striker action firearms. Because of the change in the firearms allowed and in order to ensure the safety of all persons at the shooting range, a provision was added that gives the supervisor or his/her designee the discretion to prohibit an individual or a weapon deemed unsafe from the opportunity to qualify at the shooting range. Board also rewrote a phrase in (2) due to a typographical error.

17 CSR 10-2.055 Firearms Regulations and Qualification

(1) A licensee is authorized to carry only firearms approved by board and only if the licensee has qualified with that firearm as set out herein. All licensees must have a completed verification of Firearms Training Form before reporting to department shooting range. The firearms approved by board are as follows: .38 caliber, double or single action pistols or solid frame revolvers (five or six shot); .357 revolvers with .38 caliber ammunition; and semi-automatics, double action only or double/single action, which are equipped with a decocker or decocker safety. This requirement limits the semi-automatics which may be carried to .380, .40, .45, 9mm and 10mm calibers. Striker action firearms are acceptable. The department shooting range supervisor or his/her designee may deny a licensee the opportunity to qualify if, in their discretion, they believe a person or a firearm does not meet the requirements set out herein or presents a danger to others.

(2) All applicants seeking licensure for positions for which firearms may be possessed must qualify annually with the firearm(s) on an approved shooting range and under the supervision of a qualified firearms instructor. The firearms qualifications standards shall be in accordance with those established by department for its officers.

Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police
Commissioners
Chapter 2—Private Security
ORDER OF RULEMAKING

By the authority vested in the Board of Police Commissioners under section 84.720, RSMo 1994, the board rescinds a rule as follows:

17 CSR 10-2.060 Regulation, Suspension, Revocation is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2000 (25 MoReg 423). No changes have been made to the proposed rescission, therefore it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police Commissioners
Chapter 2—Private Security
ORDER OF RULEMAKING**

By the authority vested in the Board of Police Commissioners under section 84.720, RSMo 1994, the board adopts a rule as follows:

17 CSR 10-2.060 Regulation, Suspension and Revocation is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2000 (25 MoReg 423-428). No changes have been made to the text of the proposed rule, therefore it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 60—License-Exempt Child Care Facilities
ORDER OF RULEMAKING**

By the authority vested in the Department of Health, Division of Health Standards and Licensure, under section 210.221.1(3), RSMo Supp. 1999, the division amends a rule as follows:

19 CSR 30-60.010 Definitions Relating to Child Care Facilities is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 3, 2000 (25 MoReg 870). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 60—License-Exempt Child Care Facilities**

ORDER OF RULEMAKING

By the authority vested in the Department of Health, Division of Health Standards and Licensure, under section 210.221.1(3), RSMo Supp. 1999, the division amends a rule as follows:

19 CSR 30-60.020 Application for Annual Fire Safety and Health and Sanitation Inspections and Inspection Procedures is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 3, 2000 (25 MoReg 870-872). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 60—License-Exempt Child Care Facilities**

ORDER OF RULEMAKING

By the authority vested in the Department of Health, Division of Health Standards and Licensure, under section 210.221.1(3), RSMo Supp. 1999, the division amends a rule as follows:

19 CSR 30-60.030 Local Inspections is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 3, 2000 (25 MoReg 873-875). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 60—License-Exempt Child Care Facilities**

ORDER OF RULEMAKING

By the authority vested in the Department of Health, Division of Health Standards and Licensure, under section 210.221.1(3), RSMo Supp. 1999, the division amends a rule as follows:

19 CSR 30-60.040 Variance Requests is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 3, 2000 (25 MoReg 876). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 60—License-Exempt Child Care Facilities**

ORDER OF RULEMAKING

By the authority vested in the Department of Health, Division of Health Standards and Licensure, under section 210.221.1(3), RSMo Supp. 1999, the division amends a rule as follows:

19 CSR 30-60.050 Staffing Requirements is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 3, 2000 (25 MoReg 876). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 60—License-Exempt Child Care Facilities**

ORDER OF RULEMAKING

By the authority vested in the Department of Health, Division of Health Standards and Licensure, under section 210.221.1(3), RSMo Supp. 1999, the division amends a rule as follows:

19 CSR 30-60.060 Health Requirements is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 3, 2000 (25 MoReg 876–878). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 60—License-Exempt Child Care Facilities**

ORDER OF RULEMAKING

By the authority vested in the Department of Health, Division of Health Standards and Licensure, under section 210.221.1(3), RSMo Supp. 1999, the division amends a rule as follows:

19 CSR 30-60.070 Responsibilities of Caregivers is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 3, 2000 (25 MoReg 879). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 60—License-Exempt Child Care Facilities**

ORDER OF RULEMAKING

By the authority vested in the Department of Health, Division of Health Standards and Licensure, under section 210.221.1(3), RSMo Supp. 1999, the division amends a rule as follows:

19 CSR 30-60.080 Fire Safety Requirements is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 3, 2000 (25 MoReg 879–880). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 60—License-Exempt Child Care Facilities**

ORDER OF RULEMAKING

By the authority vested in the Department of Health, Division of Health Standards and Licensure, under section 210.221.1(3), RSMo Supp. 1999, the division amends a rule as follows:

19 CSR 30-60.090 Sanitation Requirements is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 3, 2000 (25 MoReg 881–883). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 60—License-Exempt Child Care Facilities**

ORDER OF RULEMAKING

By the authority vested in the Department of Health, Division of Health Standards and Licensure, under section 210.221.1(3), RSMo Supp. 1999, the division amends a rule as follows:

19 CSR 30-60.100 Physical Plant, Space, Supplies and Equipment is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 3, 2000 (25 MoReg 884). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 60—License-Exempt Child Care Facilities**

ORDER OF RULEMAKING

By the authority vested in the Department of Health, Division of Health Standards and Licensure, under section 210.221.1(3), RSMo Supp. 1999, the division amends a rule as follows:

19 CSR 30-60.110 Transportation and Field Trip Requirements is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 3, 2000 (25 MoReg 884). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 60—License-Exempt Child Care Facilities**

ORDER OF RULEMAKING

By the authority vested in the Department of Health, Division of Health Standards and Licensure, under section 210.221.1(3), RSMo Supp. 1999, the division amends a rule as follows:

19 CSR 30-60.120 Admission Procedures and Required Reports and Records **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 3, 2000 (25 MoReg 884). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 62—Licensing Rules for Group Day Care
Homes and Child Day Care Centers**

ORDER OF RULEMAKING

By the authority vested in the Department of Health, Division of Health Standards and Licensure, under section 210.221.1(3), RSMo Supp. 1999, the division amends a rule as follows:

19 CSR 30-62.087 Fire Safety **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 3, 2000 (25 MoReg 884–887). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs and other items required to be published in the *Missouri Register* by law.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 100—Division of Credit Unions**

**APPLICATIONS FOR NEW GROUPS OR
GEOGRAPHIC AREAS**

Pursuant to section 370.081(4), RSMo Supp. 1999, the Director of the Missouri Division of Credit Unions is required to cause notice to be published that the following credit unions have submitted applications to add new groups or geographic areas to their membership.

Credit Union	Proposed New Group or Geographic Area
Midwest United Credit Union 1800 S. Outer Road Blue Springs, MO 64015	Jackson County, Missouri

*NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to any of these applications. Comments shall be filed with: Director, Division of Credit Unions, P.O. Box 1607, Jefferson City, MO 65102. To be considered, written comments must be submitted no later than ten business days after publication of this notice in the **Missouri Register**.*

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 100—Division of Credit Unions**

**APPLICATIONS FOR NEW GROUPS OR
GEOGRAPHIC AREAS**

Pursuant to section 370.081(4), RSMo Supp. 1999, the Director of the Missouri Division of Credit Unions is required to cause notice to be published that the following credit unions have submitted applications to add new groups or geographic areas to their membership.

Credit Union	Proposed New Group or Geographic Area
Southpointe Credit Union 4702 Mattis Road St. Louis, MO 63128	Family members of current members Family members of eligible members Those who live or work in Jefferson County Those who live or work in Franklin County Those who live or work in 63025 zip code

*NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to any of these applications. Comments shall be filed with: Director, Division of Credit Unions, P.O. Box 1607, Jefferson City, MO 65102. To be considered, written comments must be submitted no later than ten business days after publication of this notice in the **Missouri Register**.*

**OFFICE OF ADMINISTRATION
Division of Purchasing**

BID OPENINGS

Sealed Bids in one (1) copy will be received by the Division of Purchasing, Room 580, Truman Building, P.O. Box 809, Jefferson City, MO 65102, telephone (573) 751-2387 at 2:00 p.m. on dates specified below for various agencies throughout Missouri. Bids are available to download via our homepage: <http://www.state.mo.us/oa/purch/purch.htm>. Prospective bidders may receive specifications upon request.

B1E01006 Promotional Items 7/17/00;
B1Z00485 Equipment: Sewing Machinery 7/17/00;
B1E00484 Hats, Sheriff 7/18/00;
B3Z00211 Medical Laboratory Services 7/18/00;
B1E01003 Animal-Ear Tags 7/25/00;
B3Z00235 Janitorial Services 7/25/00;
B3Z00242 Audit Services-Counties 7/25/00
B3Z00224 Print: Missouri State Income Tax Books 7/26/00;
B3Z00245 Alzheimer Service Programs 7/26/00;
B2Z00095 Project Management Training 8/8/00;
B2Z00099 Software Training: COOL: Gen/I-Case/Biz/Plex
8/16/00.

It is the intent of the State of Missouri, Division of Purchasing to purchase the following as a single feasible source without competitive bids. If suppliers exist other than the one identified, contact (573) 751-2387 immediately.

Boating Safety Resources for Citizens of the State of Missouri, supplied by Kalkomey Enterprises, Inc.

Lighting Fixture, (Milwaukee-style Chandelier) and Lighting Fixtures, (Roman Revival-style Chandeliers) supplied by Architectural Archive of Agoura Hills, California.

Joyce Murphy, CPPO,
Director of Purchasing

**Rule Changes Since Update to
Code of State Regulations**

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—23 (1998), 24 (1999) and 25 (2000). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable and RUC indicates a rule under consideration.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
OFFICE OF ADMINISTRATION					
1 CSR 10	State Officials' Salary Compensation Schedule				23 MoReg 2473
				24 MoReg 2535
1 CSR 10-17.040	Office of Administration		25 MoReg 1062		
	(Changed from 1 CSR 40-1.080)				
1 CSR 10-17.050	Office of Administration		25 MoReg 1062		
	(Changed from 1 CSR 40-1.070)				
1 CSR 20-5.010	Personnel Advisory Board		25 MoReg 1195		
1 CSR 20-5.020	Personnel Advisory Board		25 MoReg 1196		
1 CSR 40-1.010	Purchasing and Materials Management		25 MoReg 1059		
1 CSR 40-1.030	Purchasing and Materials Management		25 MoReg 1059		
1 CSR 40-1.050	Purchasing and Materials Management		25 MoReg 1060		
1 CSR 40-1.060	Purchasing and Materials Management		25 MoReg 1061		
1 CSR 40-1.070	Purchasing and Materials Management		25 MoReg 1062		
	(Changed to 1 CSR 10-17.050)				
1 CSR 40-1.080	Purchasing and Materials Management		25 MoReg 1062		
	(Changed to 1 CSR 10-17.040)				
DEPARTMENT OF AGRICULTURE					
2 CSR 10-5.005	Market Development	24 MoReg 2269			
2 CSR 30-2.020	Animal Health		25 MoReg 633	25 MoReg 1643	
2 CSR 80-5.010	State Milk Board		25 MoReg 357	25 MoReg 1643	
2 CSR 90-20.040	Weights and Measures		25 MoReg 760		
2 CSR 90-22.140	Weights and Measures		25 MoReg 760		
2 CSR 90-25.010	Weights and Measures		25 MoReg 761		
2 CSR 110-1.010	Office of the Director		This Issue		
DEPARTMENT OF CONSERVATION					
3 CSR 10-4.110	Conservation Commission		25 MoReg 1385		
3 CSR 10-4.113	Conservation Commission		25 MoReg 1385		
3 CSR 10-4.115	Conservation Commission		25 MoReg 1386		
3 CSR 10-4.116	Conservation Commission		25 MoReg 633	25 MoReg 1475	
		25 MoReg 1393		
3 CSR 10-5.205	Conservation Commission		25 MoReg 1396		
3 CSR 10-5.215	Conservation Commission		25 MoReg 1396		
3 CSR 10-5.430	Conservation Commission		25 MoReg 1688		
3 CSR 10-5.535	Conservation Commission		25 MoReg 1397		
3 CSR 10-6.405	Conservation Commission		25 MoReg 1399		
3 CSR 10-6.410	Conservation Commission		25 MoReg 1399		
3 CSR 10-6.415	Conservation Commission		25 MoReg 1400		
3 CSR 10-6.505	Conservation Commission		25 MoReg 1401		
3 CSR 10-6.510	Conservation Commission		25 MoReg 1402		
3 CSR 10-6.525	Conservation Commission		25 MoReg 1402		
3 CSR 10-6.530	Conservation Commission		25 MoReg 1402		
3 CSR 10-6.535	Conservation Commission		25 MoReg 1402		
3 CSR 10-6.545	Conservation Commission		25 MoReg 1403		
3 CSR 10-6.550	Conservation Commission		25 MoReg 1403		
		25 MoReg 1691		
3 CSR 10-6.615	Conservation Commission		25 MoReg 1404		
3 CSR 10-7.410	Conservation Commission		25 MoReg 1404		
3 CSR 10-7.415	Conservation Commission		25 MoReg 1404		
3 CSR 10-7.417	Conservation Commission		25 MoReg 1405		
3 CSR 10-7.420	Conservation Commission		25 MoReg 1405		
3 CSR 10-7.425	Conservation Commission		25 MoReg 1405		
3 CSR 10-7.430	Conservation Commission		25 MoReg 1405		
3 CSR 10-7.435	Conservation Commission		N.A.	25 MoReg 1475	
3 CSR 10-7.441	Conservation Commission		25 MoReg 1406		
3 CSR 10-7.445	Conservation Commission		25 MoReg 1406		
3 CSR 10-7.450	Conservation Commission		25 MoReg 1406		
3 CSR 10-7.455	Conservation Commission				24 MoReg 2989
		25 MoReg 1407		
3 CSR 10-8.515	Conservation Commission		N.A.	25 MoReg 1478	
3 CSR 10-9.110	Conservation Commission		25 MoReg 1407		
3 CSR 10-9.230	Conservation Commission		25 MoReg 1408		
3 CSR 10-9.420	Conservation Commission		25 MoReg 1408		
3 CSR 10-9.625	Conservation Commission		25 MoReg 1409		
3 CSR 10-9.627	Conservation Commission		25 MoReg 1409		
3 CSR 10-9.640	Conservation Commission		25 MoReg 1410		
3 CSR 10-9.645	Conservation Commission		25 MoReg 1412		
3 CSR 10-10.707	Conservation Commission		25 MoReg 1412		
3 CSR 10-10.782	Conservation Commission		25 MoReg 1412		
3 CSR 10-11.805	Conservation Commission		25 MoReg 1413		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
DEPARTMENT OF ECONOMIC DEVELOPMENT					
4 CSR 40-1.021	Office of Athletics	21 MoReg 2680			
4 CSR 40-5.070	Office of Athletics	21 MoReg 1963			
4 CSR 65-1.020	Endowed Care Cemeteries		25 MoReg 1197		
4 CSR 65-1.030	Endowed Care Cemeteries		25 MoReg 1197		
4 CSR 65-1.040	Endowed Care Cemeteries		25 MoReg 1197		
4 CSR 65-1.050	Endowed Care Cemeteries		25 MoReg 1202		
4 CSR 65-1.060	Endowed Care Cemeteries		25 MoReg 1205		
4 CSR 65-2.020	Endowed Care Cemeteries		25 MoReg 1205		
4 CSR 65-2.030	Endowed Care Cemeteries		25 MoReg 1208		
4 CSR 65-2.040	Endowed Care Cemeteries		25 MoReg 1212		
4 CSR 70-2.031	State Board of Chiropractic Examiners		25 MoReg 1215		
4 CSR 70-2.050	State Board of Chiropractic Examiners		25 MoReg 925		
4 CSR 70-2.080	State Board of Chiropractic Examiners		25 MoReg 1215		
4 CSR 70-2.090	State Board of Chiropractic Examiners		25 MoReg 1216		
4 CSR 70-2.100	State Board of Chiropractic Examiners		25 MoReg 925		
4 CSR 90-1.010	State Board of Cosmetology		25 MoReg 926		
4 CSR 90-2.010	State Board of Cosmetology		25 MoReg 928		
4 CSR 90-3.010	State Board of Cosmetology		25 MoReg 928		
4 CSR 90-4.020	State Board of Cosmetology		25 MoReg 931R		
		25 MoReg 931		
4 CSR 90-11.010	State Board of Cosmetology		25 MoReg 931		
4 CSR 90-13.010	State Board of Cosmetology		25 MoReg 932		
4 CSR 100	Division of Credit Unions.....				25 MoReg 1650
				25 MoReg 1650
				25 MoReg 1796
				25 MoReg 1796
				This Issue
				This Issue
4 CSR 100-2.045	Division of Credit Unions		25 MoReg 932		
4 CSR 105-3.040	Credit Union Commission.....		25 MoReg 360.....	This Issue	
4 CSR 110-2.001	Missouri Dental Board.....		25 MoReg 477.....	25 MoReg 1756	
4 CSR 110-2.090	Missouri Dental Board.....		25 MoReg 1216		
4 CSR 110-2.130	Missouri Dental Board.....		25 MoReg 478R.....	25 MoReg 1756R	
		25 MoReg 478.....	25 MoReg 1756	
4 CSR 115-1.010	State Committee of Dietitians.....		25 MoReg 934		
4 CSR 115-1.020	State Committee of Dietitians.....		25 MoReg 937		
4 CSR 115-1.030	State Committee of Dietitians.....		25 MoReg 940		
4 CSR 115-1.040	State Committee of Dietitians.....		25 MoReg 943		
4 CSR 115-2.010	State Committee of Dietitians.....		25 MoReg 943		
4 CSR 115-2.020	State Committee of Dietitians.....		25 MoReg 947		
4 CSR 115-2.030	State Committee of Dietitians.....		25 MoReg 948		
4 CSR 115-2.040	State Committee of Dietitians.....		25 MoReg 951		
4 CSR 115-2.050	State Committee of Dietitians.....		25 MoReg 955		
4 CSR 120-1.030	Board of Embalmers and Funeral Directors.....		25 MoReg 959		
4 CSR 120-2.010	Board of Embalmers and Funeral Directors.....		25 MoReg 959		
4 CSR 120-2.060	Board of Embalmers and Funeral Directors.....		25 MoReg 960		
4 CSR 150-2.001	State Board of Registration for the Healing Arts.....		25 MoReg 485		
4 CSR 150-2.005	State Board of Registration for the Healing Arts.....		25 MoReg 485		
4 CSR 150-2.065	State Board of Registration for the Healing Arts.....		25 MoReg 485		
4 CSR 150-2.100	State Board of Registration for the Healing Arts.....		25 MoReg 486		
4 CSR 150-3.080	State Board of Registration for the Healing Arts.....		25 MoReg 1217		
4 CSR 150-3.170	State Board of Registration for the Healing Arts.....		25 MoReg 1217		
4 CSR 150-3.203	State Board of Registration for the Healing Arts.....		25 MoReg 486		
4 CSR 150-4.051	State Board of Registration for the Healing Arts.....		25 MoReg 487		
4 CSR 150-4.055	State Board of Registration for the Healing Arts.....		25 MoReg 487		
4 CSR 150-4.060	State Board of Registration for the Healing Arts.....		25 MoReg 488		
4 CSR 150-4.105	State Board of Registration for the Healing Arts.....		25 MoReg 488		
4 CSR 150-4.110	State Board of Registration for the Healing Arts.....		25 MoReg 489R		
		25 MoReg 489		
4 CSR 150-4.115	State Board of Registration for the Healing Arts.....		25 MoReg 490R		
		25 MoReg 490		
4 CSR 150-4.120	State Board of Registration for the Healing Arts.....		25 MoReg 491R		
		25 MoReg 491		
4 CSR 150-4.125	State Board of Registration for the Healing Arts.....		25 MoReg 496		
4 CSR 150-4.130	State Board of Registration for the Healing Arts.....		25 MoReg 496		
4 CSR 150-4.200	State Board of Registration for the Healing Arts.....		25 MoReg 496		
4 CSR 150-4.201	State Board of Registration for the Healing Arts.....		25 MoReg 497		
4 CSR 150-4.203	State Board of Registration for the Healing Arts.....		25 MoReg 497		
4 CSR 150-4.205	State Board of Registration for the Healing Arts.....		25 MoReg 498		
4 CSR 150-4.210	State Board of Registration for the Healing Arts.....		25 MoReg 503		
4 CSR 150-4.215	State Board of Registration for the Healing Arts.....		25 MoReg 503		
4 CSR 150-6.020	State Board of Registration for the Healing Arts.....		25 MoReg 507		
4 CSR 150-6.025	State Board of Registration for the Healing Arts.....		25 MoReg 507		
4 CSR 150-6.030	State Board of Registration for the Healing Arts.....		25 MoReg 512		
4 CSR 150-6.060	State Board of Registration for the Healing Arts.....		25 MoReg 512		
4 CSR 150-6.070	State Board of Registration for the Healing Arts.....		25 MoReg 517		
4 CSR 150-7.100	State Board of Registration for the Healing Arts.....		25 MoReg 517		
4 CSR 150-7.120	State Board of Registration for the Healing Arts.....		25 MoReg 517		
4 CSR 150-7.122	State Board of Registration for the Healing Arts.....		25 MoReg 518		
4 CSR 150-7.125	State Board of Registration for the Healing Arts.....		25 MoReg 518		
4 CSR 150-7.140	State Board of Registration for the Healing Arts.....		25 MoReg 519		
4 CSR 150-7.200	State Board of Registration for the Healing Arts.....		25 MoReg 521		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 150-7.300	State Board of Registration for the Healing Arts	25	MoReg 521		
4 CSR 150-7.310	State Board of Registration for the Healing Arts	25	MoReg 527		
4 CSR 155-1.010	Office of Health Care Providers	25	MoReg 531	25	MoReg 1643
4 CSR 155-1.020	Office of Health Care Providers	25	MoReg 531	25	MoReg 1643
4 CSR 193-1.010	Interior Design Council	25	MoReg 761		This Issue
4 CSR 193-1.020	Interior Design Council	25	MoReg 761		This Issue
4 CSR 193-1.030	Interior Design Council	25	MoReg 765		This Issue
4 CSR 193-2.010	Interior Design Council	25	MoReg 769		This Issue
4 CSR 193-2.020	Interior Design Council	25	MoReg 773		This Issue
4 CSR 193-2.030	Interior Design Council	25	MoReg 773		This Issue
4 CSR 193-2.040	Interior Design Council	25	MoReg 773		This Issue
4 CSR 193-3.010	Interior Design Council	25	MoReg 778		This Issue
4 CSR 193-3.020	Interior Design Council	25	MoReg 778		This Issue
4 CSR 193-4.010	Interior Design Council	25	MoReg 782		This Issue
4 CSR 193-5.010	Interior Design Council	25	MoReg 782		This Issue
4 CSR 193-6.010	Interior Design Council	25	MoReg 786		This Issue
4 CSR 193-6.020	Interior Design Council	25	MoReg 789		This Issue
4 CSR 193-6.030	Interior Design Council	25	MoReg 792		This Issue
4 CSR 195-5.010	Workforce Development	24	MoReg 2314		
		25	MoReg 962		
4 CSR 195-5.020	Workforce Development	24	MoReg 2315		
		25	MoReg 962		
4 CSR 195-5.030	Workforce Development	24	MoReg 2318		
		25	MoReg 966		
4 CSR 196-1.020	Landscape Architectural Council	25	MoReg 1691		
4 CSR 196-2.010	Landscape Architectural Council	25	MoReg 1691		
4 CSR 196-2.020	Landscape Architectural Council	25	MoReg 1691		
4 CSR 196-5.010	Landscape Architectural Council	25	MoReg 1692		
4 CSR 196-5.020	Landscape Architectural Council	25	MoReg 1692R		
4 CSR 196-5.030	Landscape Architectural Council	25	MoReg 1693R		
4 CSR 196-6.010	Landscape Architectural Council	25	MoReg 1693		
4 CSR 196-7.010	Landscape Architectural Council	25	MoReg 1694		
4 CSR 196-8.010	Landscape Architectural Council	25	MoReg 1694R		
4 CSR 196-10.010	Landscape Architectural Council	25	MoReg 1694		
4 CSR 197-1.010	Board of Therapeutic Massage	25	MoReg 795		
4 CSR 197-1.020	Board of Therapeutic Massage	25	MoReg 795		
4 CSR 197-1.030	Board of Therapeutic Massage	25	MoReg 795		
4 CSR 197-1.040	Board of Therapeutic Massage	25	MoReg 800		
4 CSR 197-2.010	Board of Therapeutic Massage	25	MoReg 800		
4 CSR 197-2.020	Board of Therapeutic Massage	25	MoReg 806		
4 CSR 197-2.030	Board of Therapeutic Massage	25	MoReg 810		
4 CSR 197-2.040	Board of Therapeutic Massage	25	MoReg 814		
4 CSR 197-2.050	Board of Therapeutic Massage	25	MoReg 818		
4 CSR 197-3.010	Board of Therapeutic Massage	25	MoReg 822		
4 CSR 197-4.010	Board of Therapeutic Massage	25	MoReg 825		
4 CSR 197-4.020	Board of Therapeutic Massage	25	MoReg 829		
4 CSR 197-5.010	Board of Therapeutic Massage	25	MoReg 832		
4 CSR 197-5.020	Board of Therapeutic Massage	25	MoReg 832		
4 CSR 197-5.030	Board of Therapeutic Massage	25	MoReg 837		
4 CSR 197-5.040	Board of Therapeutic Massage	25	MoReg 842		
4 CSR 197-6.010	Board of Therapeutic Massage	25	MoReg 846		
4 CSR 197-6.020	Board of Therapeutic Massage	25	MoReg 849		
4 CSR 200-4.010	State Board of Nursing	25	MoReg 1695		
4 CSR 200-4.020	State Board of Nursing	25	MoReg 1561		
4 CSR 205-3.030	Missouri Board of Occupational Therapy	25	MoReg 1697		
4 CSR 205-3.040	Missouri Board of Occupational Therapy	25	MoReg 1697		
4 CSR 210-2.060	State Board of Optometry	22	MoReg 1443		
4 CSR 220-2.010	State Board of Pharmacy	25	MoReg 966		
4 CSR 220-2.018	State Board of Pharmacy	25	MoReg 967		
4 CSR 220-2.020	State Board of Pharmacy	25	MoReg 967		
4 CSR 220-2.036	State Board of Pharmacy	25	MoReg 968		
4 CSR 220-2.080	State Board of Pharmacy	25	MoReg 970		
4 CSR 220-2.100	State Board of Pharmacy	25	MoReg 971		
4 CSR 220-2.145	State Board of Pharmacy	25	MoReg 972		
4 CSR 220-4.010	State Board of Pharmacy	25	MoReg 973		
4 CSR 220-5.020	State Board of Pharmacy	25	MoReg 973		
4 CSR 220-5.030	State Board of Pharmacy	25	MoReg 973		
4 CSR 220-5.050	State Board of Pharmacy	25	MoReg 974		
4 CSR 220-5.070	State Board of Pharmacy	25	MoReg 977		
4 CSR 230-2.070	Board of Podiatric Medicine	25	MoReg 531	25	MoReg 1644
4 CSR 235-1.020	State Committee of Psychologists	25	MoReg 977		
4 CSR 235-2.005	State Committee of Psychologists	25	MoReg 1697		
4 CSR 240-2.125	Public Service Commission	25	MoReg 1415		
4 CSR 250-8.020	Missouri Real Estate Commission	25	MoReg 360	25	MoReg 1481
4 CSR 250-8.070	Missouri Real Estate Commission	25	MoReg 360	25	MoReg 1481
4 CSR 250-8.090	Missouri Real Estate Commission	25	MoReg 361	25	MoReg 1481
4 CSR 250-8.095	Missouri Real Estate Commission	25	MoReg 363R	25	MoReg 1481R
		25	MoReg 363	25	MoReg 1481
4 CSR 250-8.096	Missouri Real Estate Commission	25	MoReg 365	25	MoReg 1481
4 CSR 250-8.097	Missouri Real Estate Commission	25	MoReg 365	25	MoReg 1482
4 CSR 250-8.160	Missouri Real Estate Commission	25	MoReg 366	25	MoReg 1482
4 CSR 250-8.210	Missouri Real Estate Commission	25	MoReg 366	25	MoReg 1482
4 CSR 255-4.010	Missouri Board for Respiratory Care		This Issue		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION					
5 CSR 30-261.045	Division of School Services		25 MoReg 1063R		
			25 MoReg 1063		
5 CSR 30-345.010	Division of School Services		25 MoReg 533	25 MoReg 1757	
5 CSR 50-270.050	Division of Instruction		24 MoReg 877		
5 CSR 50-340.010	Division of Instruction		25 MoReg 533R	25 MoReg 1764R	
5 CSR 80-800.010	Urban and Teacher Education		25 MoReg 1416R		
5 CSR 80-800.200	Urban and Teacher Education		25 MoReg 1416		
5 CSR 80-800.210	Urban and Teacher Education		25 MoReg 1420R		
5 CSR 80-800.220	Urban and Teacher Education		25 MoReg 1420		
5 CSR 80-800.230	Urban and Teacher Education		25 MoReg 1425		
5 CSR 80-800.260	Urban and Teacher Education		25 MoReg 1431		
5 CSR 80-800.270	Urban and Teacher Education		25 MoReg 1435		
5 CSR 80-800.280	Urban and Teacher Education		25 MoReg 1438		
5 CSR 80-800.350	Urban and Teacher Education		25 MoReg 1442		
5 CSR 80-800.360	Urban and Teacher Education		25 MoReg 1445		
5 CSR 80-800.370	Urban and Teacher Education		25 MoReg 1450		
5 CSR 80-800.380	Urban and Teacher Education		25 MoReg 1453		
5 CSR 80-800.400	Urban and Teacher Education		25 MoReg 533	25 MoReg 1764	
5 CSR 90-4.100	Vocational Rehabilitation		25 MoReg 367	25 MoReg 1764	
5 CSR 90-4.110	Vocational Rehabilitation		25 MoReg 367	25 MoReg 1764	
5 CSR 90-4.120	Vocational Rehabilitation		25 MoReg 368	25 MoReg 1764	
5 CSR 90-4.200	Vocational Rehabilitation		25 MoReg 368	25 MoReg 1765	
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5 CSR 90-4.400	Vocational Rehabilitation		25 MoReg 370	25 MoReg 1765	
5 CSR 90-4.410	Vocational Rehabilitation		25 MoReg 371	25 MoReg 1766	
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5 CSR 90-5.400	Vocational Rehabilitation		25 MoReg 376	25 MoReg 1766	
5 CSR 90-5.410	Vocational Rehabilitation		25 MoReg 379	25 MoReg 1766	
5 CSR 90-5.420	Vocational Rehabilitation		25 MoReg 379	25 MoReg 1767	
5 CSR 90-5.430	Vocational Rehabilitation		25 MoReg 382	25 MoReg 1767	
5 CSR 90-5.440	Vocational Rehabilitation		25 MoReg 384	25 MoReg 1767	
5 CSR 90-5.450	Vocational Rehabilitation		25 MoReg 387	25 MoReg 1768	
5 CSR 90-5.460	Vocational Rehabilitation		25 MoReg 389	25 MoReg 1768	
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7 CSR 10-1.010	Highways and Transportation Commission		This IssueR		
			This Issue		
7 CSR 10-2.010	Highways and Transportation Commission		24 MoReg 1367R		
			24 MoReg 1367		
7 CSR 10-6.010	Highways and Transportation Commission		24 MoReg 765		
7 CSR 10-6.015	Highways and Transportation Commission		24 MoReg 766		
7 CSR 10-6.040	Highways and Transportation Commission		24 MoReg 767		
7 CSR 10-6.050	Highways and Transportation Commission		24 MoReg 768		
7 CSR 10-6.060	Highways and Transportation Commission		24 MoReg 769		
7 CSR 10-6.070	Highways and Transportation Commission		24 MoReg 770		
7 CSR 10-6.085	Highways and Transportation Commission		24 MoReg 773		
7 CSR 10-8.010	Highways and Transportation Commission	25 MoReg 1529R	25 MoReg 1562R		
7 CSR 10-8.011	Highways and Transportation Commission	25 MoReg 1529	25 MoReg 1563		
7 CSR 10-8.020	Highways and Transportation Commission	25 MoReg 1530R	25 MoReg 1564R		
7 CSR 10-8.021	Highways and Transportation Commission	25 MoReg 1532	25 MoReg 1565		
7 CSR 10-8.030	Highways and Transportation Commission	25 MoReg 1535R	25 MoReg 1570R		
7 CSR 10-8.031	Highways and Transportation Commission	25 MoReg 1535	25 MoReg 1570		
7 CSR 10-8.040	Highways and Transportation Commission	25 MoReg 1536R	25 MoReg 1574R		
7 CSR 10-8.041	Highways and Transportation Commission	25 MoReg 1537	25 MoReg 1574		
7 CSR 10-8.050	Highways and Transportation Commission	25 MoReg 1537R	25 MoReg 1574R		
7 CSR 10-8.051	Highways and Transportation Commission	25 MoReg 1538	25 MoReg 1575		
7 CSR 10-8.060	Highways and Transportation Commission	25 MoReg 1541R	25 MoReg 1582R		
7 CSR 10-8.061	Highways and Transportation Commission	25 MoReg 1542	25 MoReg 1582		
7 CSR 10-8.070	Highways and Transportation Commission	25 MoReg 1542R	25 MoReg 1584R		
7 CSR 10-8.071	Highways and Transportation Commission	25 MoReg 1542	25 MoReg 1584		
7 CSR 10-8.080	Highways and Transportation Commission	25 MoReg 1543R	25 MoReg 1588R		
7 CSR 10-8.081	Highways and Transportation Commission	25 MoReg 1544	25 MoReg 1588		
7 CSR 10-8.090	Highways and Transportation Commission	25 MoReg 1545R	25 MoReg 1591R		
7 CSR 10-8.091	Highways and Transportation Commission	25 MoReg 1546	25 MoReg 1591		
7 CSR 10-8.101	Highways and Transportation Commission	25 MoReg 1548	25 MoReg 1597		
7 CSR 10-8.111	Highways and Transportation Commission	25 MoReg 1549	25 MoReg 1597		
7 CSR 10-8.121	Highways and Transportation Commission	25 MoReg 1550	25 MoReg 1660		
7 CSR 10-8.131	Highways and Transportation Commission	25 MoReg 1552	25 MoReg 1603		
7 CSR 10-8.141	Highways and Transportation Commission	25 MoReg 1553	25 MoReg 1606		
7 CSR 10-8.151	Highways and Transportation Commission	25 MoReg 1555	25 MoReg 1610		
7 CSR 10-8.161	Highways and Transportation Commission	25 MoReg 1556	25 MoReg 1614		
7 CSR 10-8.200	Highways and Transportation Commission	25 MoReg 1557R	25 MoReg 1614R		
7 CSR 10-8.210	Highways and Transportation Commission	25 MoReg 1558R	25 MoReg 1615R		
7 CSR 10-8.220	Highways and Transportation Commission	25 MoReg 1558R	25 MoReg 1615R		
7 CSR 10-8.230	Highways and Transportation Commission	25 MoReg 1558R	25 MoReg 1615R		
7 CSR 10-8.240	Highways and Transportation Commission	25 MoReg 1559R	25 MoReg 1616R		
7 CSR 10-8.250	Highways and Transportation Commission	25 MoReg 1559R	25 MoReg 1616R		
7 CSR 10-8.260	Highways and Transportation Commission	25 MoReg 1560R	25 MoReg 1616R		
7 CSR 10-8.270	Highways and Transportation Commission	25 MoReg 1560R	25 MoReg 1617R		
7 CSR 10 14.010	Highways and Transportation Commission		25 MoReg 635		

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7 CSR 10 14.020	Highways and Transportation Commission	25 MoReg 629	25 MoReg 639		
7 CSR 10 14.030	Highways and Transportation Commission	25 MoReg 629	25 MoReg 639		
7 CSR 10 14.040	Highways and Transportation Commission	25 MoReg 630	25 MoReg 640		
7 CSR 10 14.050	Highways and Transportation Commission		25 MoReg 640		
7 CSR 10 14.060	Highways and Transportation Commission		25 MoReg 641		
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8 CSR 10-2.020	Division of Employment Security		25 MoReg 1217		
8 CSR 10-4.160	Division of Employment Security		25 MoReg 1617		
8 CSR 30-3.010	Division of Labor Standards		25 MoReg 1066		
8 CSR 30-4.030	Division of Labor Standards		25 MoReg 1066		
8 CSR 50-2.030	Workers' Compensation		25 MoReg 536R		
			25 MoReg 536		
8 CSR 50-4.010	Workers' Compensation		25 MoReg 537R		
			25 MoReg 538		
8 CSR 50-7.050	Workers' Compensation		25 MoReg 1698		
8 CSR 50-7.060	Workers' Compensation		25 MoReg 1698		
8 CSR 50-7.070	Workers' Compensation		25 MoReg 1698		
8 CSR 60-3.040	Commission on Human Rights	24 MoReg 2565			25 MoReg 598RUC
		25 MoReg 144T			
DEPARTMENT OF MENTAL HEALTH					
9 CSR 10-7.010	Director, Department of Mental Health				24 MoReg 2875RUC
9 CSR 10-7.020	Director, Department of Mental Health				24 MoReg 2877RUC
9 CSR 10-7.030	Director, Department of Mental Health				24 MoReg 2879RUC
9 CSR 10-7.040	Director, Department of Mental Health				24 MoReg 2881RUC
9 CSR 10-7.050	Director, Department of Mental Health				24 MoReg 2881RUC
9 CSR 10-7.060	Director, Department of Mental Health				24 MoReg 2883RUC
9 CSR 10-7.070	Director, Department of Mental Health				24 MoReg 2884RUC
9 CSR 10-7.080	Director, Department of Mental Health				24 MoReg 2885RUC
9 CSR 10-7.090	Director, Department of Mental Health				24 MoReg 2886RUC
9 CSR 10-7.100	Director, Department of Mental Health				24 MoReg 2887RUC
9 CSR 10-7.110	Director, Department of Mental Health				24 MoReg 2887RUC
9 CSR 10-7.120	Director, Department of Mental Health				24 MoReg 2890RUC
9 CSR 10-7.130	Director, Department of Mental Health				24 MoReg 2891RUC
9 CSR 25-4.040	Fiscal Management		24 MoReg 2386		
			25 MoReg 641	25 MoReg 1768	
9 CSR 45-5.040	Mental Retardation and Developmental Disabilities		24 MoReg 2389		
			25 MoReg 644	25 MoReg 1768	
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10 CSR					24 MoReg 1693
10 CSR 10-2.010	Air Conservation Commission				24 MoReg 420
10 CSR 10-5.070	Air Conservation Commission		24 MoReg 2224		
10 CSR 10-5.330	Air Conservation Commission		25 MoReg 1698		
10 CSR 10-5.380	Air Conservation Commission	24 MoReg 2935	25 MoReg 14	25 MoReg 1482	
10 CSR 10-5.390	Air Conservation Commission		25 MoReg 264	25 MoReg 1768	
10 CSR 10-5.451	Air Conservation Commission		25 MoReg 649		
10 CSR 10-5.490	Air Conservation Commission		24 MoReg 2680	25 MoReg 1483	
10 CSR 10-6.070	Air Conservation Commission		25 MoReg 1618		
10 CSR 10-6.075	Air Conservation Commission		25 MoReg 1618		
10 CSR 10-6.080	Air Conservation Commission		25 MoReg 1623		
10 CSR 10-6.110	Air Conservation Commission		25 MoReg 1218		
10 CSR 10-6.170	Air Conservation Commission		22 MoReg 2129		
10 CSR 10-6.310	Air Conservation Commission		24 MoReg 2686	25 MoReg 1485	
10 CSR 10-6.350	Air Conservation Commission		25 MoReg 640		
10 CSR 10-6.400	Air Conservation Commission		25 MoReg 391	25 MoReg 1769	
10 CSR 20-7.015	Clean Water Commission		25 MoReg 264		
10 CSR 40-3.010	Land Reclamation Commission		25 MoReg 1066		
10 CSR 40-3.020	Land Reclamation Commission		25 MoReg 1066		
10 CSR 40-3.040	Land Reclamation Commission		25 MoReg 1067		
10 CSR 40-3.050	Land Reclamation Commission		25 MoReg 1070		
10 CSR 40-3.080	Land Reclamation Commission		25 MoReg 1071		
10 CSR 40-3.090	Land Reclamation Commission		25 MoReg 1072		
10 CSR 40-3.110	Land Reclamation Commission		25 MoReg 1072		
10 CSR 40-3.120	Land Reclamation Commission		25 MoReg 1073		
10 CSR 40-3.140	Land Reclamation Commission		25 MoReg 1074		
10 CSR 40-3.200	Land Reclamation Commission		25 MoReg 1074		
10 CSR 40-3.240	Land Reclamation Commission		25 MoReg 1078		
10 CSR 40-3.270	Land Reclamation Commission		25 MoReg 1078		
10 CSR 40-4.010	Land Reclamation Commission		25 MoReg 1079		
10 CSR 40-4.020	Land Reclamation Commission		25 MoReg 1079		
10 CSR 40-4.030	Land Reclamation Commission		25 MoReg 1080		
10 CSR 40-4.050	Land Reclamation Commission		25 MoReg 1081		
10 CSR 40-5.010	Land Reclamation Commission		25 MoReg 1081		
10 CSR 40-6.010	Land Reclamation Commission		25 MoReg 1082		
10 CSR 40-6.020	Land Reclamation Commission		25 MoReg 1083		
10 CSR 40-6.030	Land Reclamation Commission		25 MoReg 1083		
10 CSR 40-6.040	Land Reclamation Commission		25 MoReg 1084		
10 CSR 40-6.050	Land Reclamation Commission		25 MoReg 1085		

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10 CSR 40-6.060	Land Reclamation Commission		25 MoReg 1087		
10 CSR 40-6.070	Land Reclamation Commission		25 MoReg 1088		
10 CSR 40-6.090	Land Reclamation Commission		25 MoReg 1089		
10 CSR 40-6.100	Land Reclamation Commission		25 MoReg 1090		
10 CSR 40-6.120	Land Reclamation Commission		25 MoReg 1091		
10 CSR 40-7.011	Land Reclamation Commission		25 MoReg 1092		
10 CSR 40-7.021	Land Reclamation Commission		25 MoReg 1094		
10 CSR 40-8.010	Land Reclamation Commission		25 MoReg 1095		
10 CSR 40-8.030	Land Reclamation Commission		25 MoReg 1101		
10 CSR 40-8.050	Land Reclamation Commission		25 MoReg 1102		
10 CSR 40-8.070	Land Reclamation Commission		25 MoReg 1103		
10 CSR 40-9.020	Land Reclamation Commission		25 MoReg 1107		
10 CSR 40-10.010	Land Reclamation Commission		25 MoReg 1623		
10 CSR 40-10.020	Land Reclamation Commission		25 MoReg 1623		
10 CSR 40-10.040	Land Reclamation Commission		25 MoReg 1627		
10 CSR 40-10.100	Land Reclamation Commission		25 MoReg 1627		
10 CSR 45-1.010	Metallic Minerals Waste Management		24 MoReg 2049		
		25 MoReg 978		
10 CSR 45-2.010	Metallic Minerals Waste Management		24 MoReg 2049		
		25 MoReg 978		
10 CSR 45-3.010	Metallic Minerals Waste Management		24 MoReg 1258R		
		24 MoReg 1258		
		25 MoReg 978R		
		25 MoReg 978		
10 CSR 45-6.010	Metallic Minerals Waste Management		24 MoReg 2049		
		25 MoReg 987		
10 CSR 45-6.020	Metallic Minerals Waste Management		24 MoReg 2049		
		25 MoReg 987		
10 CSR 45-6.030	Metallic Minerals Waste Management		24 MoReg 2050		
		25 MoReg 987		
10 CSR 60-2.015	Public Drinking Water Program		25 MoReg 147	25 MoReg 1771	
10 CSR 60-4.010	Public Drinking Water Program		25 MoReg 148	25 MoReg 1771	
10 CSR 60-4.050	Public Drinking Water Program		25 MoReg 152	25 MoReg 1772	
10 CSR 60-4.055	Public Drinking Water Program		25 MoReg 156	25 MoReg 1773	
10 CSR 60-4.090	Public Drinking Water Program		25 MoReg 161	25 MoReg 1776	
10 CSR 60-5.010	Public Drinking Water Program		25 MoReg 539		
10 CSR 60-5.020	Public Drinking Water Program		25 MoReg 176	25 MoReg 1782	
10 CSR 60-7.010	Public Drinking Water Program		25 MoReg 181	25 MoReg 1783	
10 CSR 60-8.010	Public Drinking Water Program		25 MoReg 187	25 MoReg 1784	
10 CSR 80-9.040	Solid Waste Management		25 MoReg 191	25 MoReg 1785	
10 CSR 80-9.050	Solid Waste Management		25 MoReg 197	25 MoReg 1786	
10 CSR 100-2.010	Petroleum Storage Tank Insurance Fund Board of Trustees		25 MoReg 1108		
10 CSR 100-5.010	Petroleum Storage Tank Insurance Fund Board of Trustees		25 MoReg 1108		
10 CSR 140-2	Division of Energy				24 MoReg 2243

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11 CSR 10-12.010	Adjutant General		25 MoReg 1700		
11 CSR 10-12.020	Adjutant General		25 MoReg 1700		
11 CSR 10-12.030	Adjutant General		25 MoReg 1700		
11 CSR 10-12.040	Adjutant General		25 MoReg 1701		
11 CSR 10-12.050	Adjutant General		25 MoReg 1701		
11 CSR 10-12.060	Adjutant General		25 MoReg 1701		
11 CSR 30-9.010	Office of the Director	25 MoReg 751	25 MoReg 852	This Issue	
11 CSR 30-9.020	Office of the Director	25 MoReg 751	25 MoReg 852	This Issue	
11 CSR 30-9.030	Office of the Director	25 MoReg 752	25 MoReg 852	This Issue	
11 CSR 30-9.040	Office of the Director	25 MoReg 752	25 MoReg 853	This Issue	
11 CSR 30-9.050	Office of the Director	25 MoReg 753	25 MoReg 853	This Issue	
11 CSR 45-1.090	Missouri Gaming Commission		25 MoReg 1114		
11 CSR 45-5.010	Missouri Gaming Commission		25 MoReg 268	25 MoReg 1787	
11 CSR 45-5.051	Missouri Gaming Commission		25 MoReg 273	25 MoReg 1788	
11 CSR 45-5.053	Missouri Gaming Commission		25 MoReg 853		
11 CSR 45-5.075	Missouri Gaming Commission		25 MoReg 1631		
11 CSR 45-10.035	Missouri Gaming Commission		25 MoReg 278	25 MoReg 1487	
11 CSR 45-11.110	Missouri Gaming Commission	25 MoReg 1679	25 MoReg 1702		
11 CSR 45-13.055	Missouri Gaming Commission	24 MoReg 2124	24 MoReg 2144		
		25 MoReg 278	25 MoReg 1487	
11 CSR 45-17.030	Missouri Gaming Commission		25 MoReg 854		
11 CSR 50-2.080	Missouri State Highway Patrol		25 MoReg 554	25 MoReg 1644	
11 CSR 50-2.090	Missouri State Highway Patrol		25 MoReg 554	25 MoReg 1644	
11 CSR 50-2.100	Missouri State Highway Patrol		25 MoReg 554	25 MoReg 1644	
11 CSR 50-2.150	Missouri State Highway Patrol	25 MoReg 475	25 MoReg 554	25 MoReg 1644	
11 CSR 50-2.160	Missouri State Highway Patrol	25 MoReg 475	25 MoReg 555	25 MoReg 1644	
11 CSR 50-2.290	Missouri State Highway Patrol	25 MoReg 476	25 MoReg 555	25 MoReg 1645	
11 CSR 50-2.320	Missouri State Highway Patrol		25 MoReg 556	25 MoReg 1645	
11 CSR 50-2.430	Missouri State Highway Patrol		25 MoReg 556	25 MoReg 1645	
11 CSR 50-2.440	Missouri State Highway Patrol		25 MoReg 557	25 MoReg 1645	
11 CSR 75-2.010	Peace Officer Standards and Training		25 MoReg 664	25 MoReg 1789	
11 CSR 75-3.020	Peace Officer Standards and Training		25 MoReg 665	25 MoReg 1789	
11 CSR 75-3.030	Peace Officer Standards and Training		25 MoReg 854	This Issue	
11 CSR 75-5.040	Peace Officer Standards and Training		25 MoReg 665	25 MoReg 1790	
11 CSR 75-6.020	Peace Officer Standards and Training		25 MoReg 1631		
11 CSR 75-6.030	Peace Officer Standards and Training		25 MoReg 1631		

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11 CSR 75-11.035	Peace Officer Standards and Training	25	MoReg 665	25	MoReg 1790
11 CSR 75-11.060	Peace Officer Standards and Training	25	MoReg 666	25	MoReg 1790
11 CSR 75-11.070	Peace Officer Standards and Training	25	MoReg 666	25	MoReg 1790
11 CSR 80-1.010	Missouri State Water Patrol	25	MoReg 290	25	MoReg 1645
11 CSR 80-2.010	Missouri State Water Patrol	25	MoReg 290	25	MoReg 1645
11 CSR 80-3.010	Missouri State Water Patrol	25	MoReg 291	25	MoReg 1646
11 CSR 80-3.020	Missouri State Water Patrol	25	MoReg 291	25	MoReg 1646
11 CSR 80-4.010	Missouri State Water Patrol	25	MoReg 291	25	MoReg 1646
11 CSR 80-6.010	Missouri State Water Patrol	25	MoReg 292	25	MoReg 1646
11 CSR 80-7.010	Missouri State Water Patrol	25	MoReg 292	25	MoReg 1646
11 CSR 80-8.010	Missouri State Water Patrol	25	MoReg 292	25	MoReg 1646
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12 CSR	Construction Transient Employers				24 MoReg 2087
				25 MoReg 1490
12 CSR 10-3.004	Director of Revenue	25	MoReg 1702R		
12 CSR 10-3.005	Director of Revenue	25	MoReg 1703R		
12 CSR 10-3.006	Director of Revenue	25	MoReg 1703R		
12 CSR 10-3.007	Director of Revenue	25	MoReg 1703R		
12 CSR 10-3.098	Director of Revenue	25	MoReg 1456R		
12 CSR 10-3.166	Director of Revenue	25	MoReg 1703R		
12 CSR 10-3.172	Director of Revenue	25	MoReg 1704R		
12 CSR 10-3.248	Director of Revenue	25	MoReg 1704R		
12 CSR 10-3.260	Director of Revenue	25	MoReg 1704R		
12 CSR 10-3.262	Director of Revenue	25	MoReg 1704R		
12 CSR 10-3.274	Director of Revenue	25	MoReg 1705R		
12 CSR 10-3.278	Director of Revenue	25	MoReg 1705R		
12 CSR 10-3.282	Director of Revenue	25	MoReg 1705R		
12 CSR 10-3.284	Director of Revenue	25	MoReg 1705R		
12 CSR 10-3.286	Director of Revenue	25	MoReg 1706R		
12 CSR 10-3.290	Director of Revenue	25	MoReg 1706R		
12 CSR 10-3.332	Director of Revenue	25	MoReg 1706R		
12 CSR 10-3.336	Director of Revenue	25	MoReg 1706R		
12 CSR 10-3.460	Director of Revenue	25	MoReg 144		
12 CSR 10-3.516	Director of Revenue	25	MoReg 1456R		
12 CSR 10-3.518	Director of Revenue	25	MoReg 1456R		
12 CSR 10-3.520	Director of Revenue	25	MoReg 1456R		
12 CSR 10-3.526	Director of Revenue	25	MoReg 1456R		
12 CSR 10-3.528	Director of Revenue	25	MoReg 1457R		
12 CSR 10-3.530	Director of Revenue	25	MoReg 1457R		
12 CSR 10-3.590	Director of Revenue	25	MoReg 1706R		
12 CSR 10-3.834	Director of Revenue	25	MoReg 1707R		
12 CSR 10-3.850	Director of Revenue	25	MoReg 1707R		
12 CSR 10-3.852	Director of Revenue	25	MoReg 1457R		
12 CSR 10-3.866	Director of Revenue	25	MoReg 1707R		
12 CSR 10-4.145	Director of Revenue	25	MoReg 1707R		
12 CSR 10-4.255	Director of Revenue	25	MoReg 1457R		
12 CSR 10-4.260	Director of Revenue	25	MoReg 1458R		
12 CSR 10-4.265	Director of Revenue	25	MoReg 1458R		
12 CSR 10-4.275	Director of Revenue	25	MoReg 1458R		
12 CSR 10-4.330	Director of Revenue	25	MoReg 1458R		
12 CSR 10-5.080	Director of Revenue	25	MoReg 1459R		
12 CSR 10-11.150	Director of Revenue	25	MoReg 1459R		
12 CSR 10-23.100	Director of Revenue	25	MoReg 557	25	MoReg 1647
12 CSR 10-23.446	Director of Revenue		This Issue		
12 CSR 10-24.050	Director of Revenue	25	MoReg 1459		
12 CSR 10-24.100	Director of Revenue	25	MoReg 1708		
12 CSR 10-24.110	Director of Revenue	25	MoReg 1708		
12 CSR 10-24.140	Director of Revenue	25	MoReg 1709		
12 CSR 10-24.310	Director of Revenue	25	MoReg 1709R		
12 CSR 10-24.450	Director of Revenue	25	MoReg 1114		
12 CSR 10-24.452	Director of Revenue	25	MoReg 1114		
12 CSR 10-24.460	Director of Revenue	25	MoReg 1709		
12 CSR 10-25.030	Director of Revenue	25	MoReg 1710		
12 CSR 10-25.090	Director of Revenue	25	MoReg 392R	25	MoReg 1487R
12 CSR 10-103.200	Director of Revenue	25	MoReg 292	25	MoReg 1487
12 CSR 10-103.370	Director of Revenue		This Issue		
12 CSR 10-103.600	Director of Revenue		This Issue		
12 CSR 10-103.610	Director of Revenue	25	MoReg 293	25	MoReg 1488
12 CSR 10-104.020	Director of Revenue		This Issue		
12 CSR 10-108.600	Director of Revenue		This Issue		
12 CSR 10-110.220	Director of Revenue		This Issue		
12 CSR 10-110.910	Director of Revenue	25	MoReg 294	25	MoReg 1647
12 CSR 10-110.920	Director of Revenue	25	MoReg 295	25	MoReg 1647
12 CSR 10-111.013	Director of Revenue	24	MoReg 2632	25	MoReg 558
	(Changed to 12 CSR 10-110.013)				
12 CSR 10-112.010	Director of Revenue		This Issue		
12 CSR 10-113.300	Director of Revenue		This Issue		
12 CSR 10-115.100	Director of Revenue	25	MoReg 1459		
12 CSR 30-4.010	State Tax Commission	25	MoReg 296	25	MoReg 1488
12 CSR 40-40.090	State Lottery	25	MoReg 392	25	MoReg 1790
12 CSR 40-60.020	State Lottery	25	MoReg 393	25	MoReg 1791

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12 CSR 40-85.005	State Lottery		25 MoReg 1710		
12 CSR 40-85.010	State Lottery		25 MoReg 1711		
12 CSR 40-85.030	State Lottery		25 MoReg 1711		
12 CSR 40-85.050	State Lottery		25 MoReg 1712		
12 CSR 40-85.060	State Lottery		25 MoReg 1712		
12 CSR 40-85.080	State Lottery		25 MoReg 1712		
12 CSR 40-85.110	State Lottery		25 MoReg 1713R		
12 CSR 40-85.120	State Lottery		25 MoReg 1713R		
12 CSR 40-85.130	State Lottery		25 MoReg 1713R		
12 CSR 40-85.140	State Lottery		25 MoReg 1713		
12 CSR 40-85.150	State Lottery		25 MoReg 1714R		
12 CSR 40-85.160	State Lottery		25 MoReg 1714R		
12 CSR 40-95.010	State Lottery		25 MoReg 1714		

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13 CSR 15-4.050	Division of Aging		25 MoReg 666.....	25 MoReg 1791	
13 CSR 15-4.240	Division of Aging		25 MoReg 1639		
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13 CSR 15-7.060	Division of Aging		25 MoReg 1640		
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7 CSR 10-8.021	General Information	November 6, 2000
7 CSR 10-8.030	Procedures for Certifying Disadvantaged Business Enterprises	November 6, 2000
7 CSR 10-8.031	Who is Governed and Bound by the USDOT and MoDOT DBE Program Regulations	November 6, 2000
7 CSR 10-8.040	Procedures for Certification Renewal of Disadvantaged Business Enterprises	November 6, 2000
7 CSR 10-8.041	Effective Date of the DBE Program Under 49 CFR Part 26	November 6, 2000
7 CSR 10-8.050	Challenge Procedures for Disadvantaged Business Enterprises	November 6, 2000
7 CSR 10-8.051	Procedures and Policies for Initially Certifying and Recertifying Disadvantaged Business Enterprise Firms	November 6, 2000
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7 CSR 10-8.070	Decertification Procedures for Disadvantaged Business Enterprises	November 6, 2000
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7 CSR 10-8.090	Finality of Department Determination in the Disadvantaged Business Enterprise Program	November 6, 2000
7 CSR 10-8.091	MoDOT Procedures and Hearings to Remove a Firm's DBE Eligibility	November 6, 2000
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7 CSR 10-8.111	Prompt Payment, Recordkeeping and Audit Requirements	November 6, 2000
7 CSR 10-8.121	MoDOT DBE Program Annual Goals and Contract Goals	November 6, 2000
7 CSR 10-8.131	DBE Participation Credit Toward Project or Contract Goals	November 6, 2000
7 CSR 10-8.141	USDOT-Assisted DBE Contract Awards and Good-Faith Efforts	November 6, 2000
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7 CSR 10-8.161	Confidentiality of DBE Program Financial and Other Information	November 6, 2000
7 CSR 10-8.200	Disadvantaged Business Enterprise Set-Aside Program General	November 6, 2000
7 CSR 10-8.210	Definitions	November 6, 2000
7 CSR 10-8.220	Eligibility for Participation in the Commission's DBE Set-Aside Program	November 6, 2000
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7 CSR 10-8.240	Retaining Qualification to Participate in the Commission's DBE Set-Aside Program	November 6, 2000
7 CSR 10-8.250	Bidding Limitations on Qualified Firms and Joint Ventures Having Active Commission DBE Set-Aside Contracts	November 6, 2000
7 CSR 10-8.260	DBE Subcontracting Goals for the Commission's DBE Set-Aside Program Contracts	November 6, 2000
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7 CSR 10-14.020	Definitions	August 15, 2000
7 CSR 10-14.030	Application for Participation	August 15, 2000
7 CSR 10-14.040	Agreements; Responsibilities of Adopter and Commission	August 15, 2000

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9 CSR 30-4.042	Admission Criteria	February 22, 2001
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11 CSR 30-9.010	Definition	August 26, 2000
11 CSR 30-9.020	Participation Eligibility Requirements	August 26, 2000
11 CSR 30-9.030	Reimbursement Criteria	August 26, 2000
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11 CSR 30-9.050	Organization Disqualification	August 26, 2000

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11 CSR 45-11.110	Refund—Claim for Refund	February 22, 2001
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11 CSR 50-2.400	Emission Test Procedures	September 27, 2000
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13 CSR 15-10.070	Alzheimer's Demonstration Projects	February 1, 2001
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13 CSR 70-15.010	Inpatient Hospital Services Reimbursement Plan; Outpatient Hospital Services Reimbursement Methodology	Terminated May 4, 2000
13 CSR 70-15.010	Inpatient Hospital Services Reimbursement Plan; Outpatient Hospital Services Reimbursement Methodology	November 6, 2000

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19 CSR 20-20.080	Duties of Laboratories	December 11, 2000
19 CSR 20-20.100	Tuberculosis Testing for Residents and Workers in Long-Term Care Facilities and State Correctional Centers	February 22, 2001
19 CSR 20-26.030	Human Immunodeficiency Virus (HIV) Test Consultation and Reporting	December 11, 2000
19 CSR 20-26.040	Physician Human Immunodeficiency Virus (HIV) Test Consultation and Reporting	December 11, 2000
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